

Questions

1

4

**MONROE COUNTY**  
**2013 REAL ESTATE TAXES**  
**KEVIN W. KOENIGSTEIN, COLLECTOR**  
Monroe County Courthouse  
100 S. Main Street  
Waterloo, IL 62298  
[www.monroecountyil.org](http://www.monroecountyil.org)

DILLENBERGER MARY ANN & JAMES  
6664 A RD  
VALMEYER, IL 62295

**2013 Real Estate Taxes payable in 2014**

PLEASE NOTE: The information listed on the back of this bill provides instructions and guidelines regarding payment methods and options, an explanation of tax calculation and other information pertaining to your real estate taxes.

The County Collector is not responsible for the variables that affect the amount of your tax bill. This office can assist or direct you to the property authority regarding questions about your tax bill.

ASSESSED TO: DILLENBERGER MARY ANN & JAMES  
BILL NUMBER 9317

PROPERTY DESCRIPTION TAX LOT 8 PART TAX LOT 4, PART TAX LOT 3 SUR 564 0120545 02S		PERMANENT INDEX NUMBER (PIN) <b>06-26-300-001-000</b>	
		ACRES <b>119.8</b>	TAXABLE VALUE <b>6,125</b>
		CLASS CODE <b>0021</b>	TAX CODE <b>6004</b>
LOCATION OF PROPERTY sect/lot <b>26</b> twp <b>02S</b> range <b>11W</b> acres <b>119.8</b>		TOWNSHIP <b>TWN 06 - T2S R11W</b>	
Taxing Body	Prior Rate	Prior Amount	Current Rate
MONROE COUNTY	0.83194	47.73	0.78768
IMRF	0.08100	4.65	0.09357
S.W. ILLINOIS COLLEGE #522	0.39048	22.40	0.40436
VALMEYER SCHOOL DIST 3	4.38818	251.71	4.35126
IMRF	0.17119	9.82	0.16488
VALMEYER FIRE DIST	0.28680	16.45	0.28839
ROAD DIST TWP 2-11	0.63135	36.21	0.61001
HARRISONVILLE	1.43870	82.52	1.32427
VALMEYER LIBRARY	0.12051	6.91	0.12023
Harrisonville Drainage	0.00000	251.14	0.00000
Total	8.34015	729.54	8.14465
			48.26
			5.73
			24.77
			266.51
			10.10
			17.66
			37.36
			81.11
			7.36
			251.14
			750.00

**ATTENTION TAXPAYERS WHO ESCROW:**  
Please retain this copy of your bill for your tax records - **DO NOT**  
**SEND PAYMENT AT THIS TIME**  
Please check our website near the due dates to ensure your  
mortgage company has made payment.  
**EACH INSTALLMENT MUST BE PAID BY THE DATE SHOWN**  
**OR A PENALTY WILL BE CHARGED.**

**2013 MONROE COUNTY REAL ESTATE TAX**  
**RECEIPT PORTION - KEEP FOR YOUR RECORDS**  
**MAKE CHECKS PAYABLE TO :**  
**MONROE COUNTY COLLECTOR**  
or use E-Pay at [www.monroecountyil.org](http://www.monroecountyil.org)

FORMULA FOR TAX CALCULATION - 2013		
Land	+	0
Farm Land	+	6,125
Building	+	0
Farm Building	+	0
B. Of R. Equalized	=	6,125
State Eq. Factors *	x	1.00000
State Eq. Value	=	6,125
IMPROVEMENTS	-	0
OWNER OCCUP	-	0
ELDERLY	-	0
DISABLE VETERAN	-	0
SEN FREEZE	-	0
Taxable Value	=	6,125
Tax Rate	x	8.14465
Real Estate Tax	=	\$498.86
Drainage Tax	=	\$251.14
*Not to be used for farm land and farm buildings		
Township Multiplier:		1
INTEREST 1 1/2% PER MONTH	TOTAL TAX DUE	\$750.00
1977 EQUALIZED VALUE	FAIR MARKET VALUE	0

FIRST INSTALLMENT DUE DATE: 7/11/2014	AMOUNT \$375.00	SECOND INSTALLMENT DUE DATE: 9/12/2014	AMOUNT \$375.00
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**2013 REAL ESTATE TAXES**  
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**2013 Real Estate Taxes payable in 2014**

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ASSESSED TO: DILLENBERGER MARY ANN & JAMES  
 BILL NUMBER 9318

PROPERTY DESCRIPTION PART LOT 1 SUR 654 & PART LOT 7 SEC 27 0120545 02S				PERMANENT INDEX NUMBER (PIN) <b>06-27-400-001-000</b>	
				ACRES <b>72.92</b>	TAXABLE VALUE <b>5,504</b>
				CLASS CODE <b>0011</b>	TAX CODE <b>6004</b>
LOCATION OF PROPERTY sect/lot      twp      range      acres <b>27      02S      11W      72.92</b>				TOWNSHIP <b>TWN 06 - T2S R11W</b>	
Taxing Body		Prior Rate	Prior Amount	Current Rate	Current Amount
MONROE COUNTY		0.83194	42.64	0.78768	43.35
IMRF		0.08100	4.15	0.09357	5.15
S.W. ILLINOIS COLLEGE #522		0.39048	20.01	0.40436	22.26
VALMEYER SCHOOL DIST 3		4.38818	224.85	4.35126	239.49
IMRF		0.17119	8.77	0.16488	9.08
VALMEYER FIRE DIST		0.28680	14.70	0.28839	15.87
ROAD DIST TWP 2-11		0.63135	32.35	0.61001	33.57
HARRISONVILLE		1.43870	73.72	1.32427	72.89
VALMEYER LIBRARY		0.12051	6.17	0.12023	6.62
Harrisonville Drainage		0.00000	152.86	0.00000	152.86
Total		8.34015	580.22	8.14465	601.14

**ATTENTION TAXPAYERS WHO ESCROW:**  
 Please retain this copy of your bill for your tax records - **DO NOT**  
**SEND PAYMENT AT THIS TIME**  
 Please check our website near the due dates to ensure your  
 mortgage company has made payment.  
**EACH INSTALLMENT MUST BE PAID BY THE DATE SHOWN**  
**OR A PENALTY WILL BE CHARGED.**

**2013 MONROE COUNTY REAL ESTATE TAX**  
**RECEIPT PORTION - KEEP FOR YOUR RECORDS**  
**MAKE CHECKS PAYABLE TO :**  
**MONROE COUNTY COLLECTOR**  
 or use E-Pay at [www.monroecountyil.org](http://www.monroecountyil.org)

FORMULA FOR TAX CALCULATION - 2013		
Land	+	0
Farm Land	+	4,954
Building	+	0
Farm Building	+	550
B. Of R. Equalized	=	5,504
State Eq. Factors *	x	1.00000
State Eq. Value	=	5,504
IMPROVEMENTS	-	0
OWNER OCCUP	-	0
ELDERLY	-	0
DISABLE VETERAN	-	0
SEN FREEZE	-	0
Taxable Value	=	5,504
Tax Rate	x	8.14465
Real Estate Tax	=	\$448.28
Drainage Tax	=	\$152.86
*Not to be used for farm land and farm buildings		
Township Multiplier:		1
INTEREST 1 1/2% PER MONTH	TOTAL TAX DUE	\$601.14
1977 EQUALIZED VALUE	FAIR MARKET VALUE	0

FIRST INSTALLMENT DUE DATE: <b>7/11/2014</b>	AMOUNT <b>\$300.57</b>	SECOND INSTALLMENT DUE DATE: <b>9/12/2014</b>	AMOUNT <b>\$300.57</b>
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Excepting that part of the Southeast Fractional 1/4 of Section 27 and United States Survey 564 Claim 620 conveyed to the State of Illinois for use of the Department of Public Works and Buildings by Warranty Deed dated August 16, 1965 and recorded November 19, 1965 in Book 93 on page 304, Monroe County, Illinois records; reference being had to the plat thereof recorded in the Recorder's Office of Monroe County, Illinois in Book of Plats "C" on page 70.

All of the foregoing land is situated in Township 2 South Range 11 West of the 3rd Principal Meridian in the County of Monroe and State of Illinois.

Together with all growing crops.

Subject to all restrictions, covenants and easements of record.

Grantor shall pay the real estate taxes for year 1974 and shall pay 15/24 of 1975 taxes payable in 1976.

situated in County of Monroe, in the State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption laws of this State.

Dated this 12th day of April, 1976.

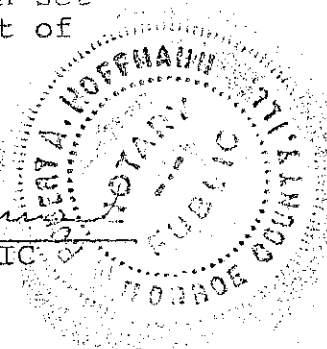
George P. Ziebold  
George P. Ziebold, Successor  
Trustee of the Minnie E. Ziebold  
Trust Agreement

STATE OF ILLINOIS           )  
                                      ) SS  
COUNTY OF MONROE        )

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that GEORGE P. ZIEBOLD, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

GIVEN under my hand and seal this 12th day  
of April, 1976.

Louella A. Hoffmann  
NOTARY PUBLIC



Deed Prepared by  
Ronald D. Stanley  
4343 West Main Street  
Belleville, Ill. 62223

Mail Subsequent Tax Bills to:

Address of Property

Lester O. Dillenger  
R.F.D. #2  
Valmeyer, Illinois

R.R. Monroe County, Ill.

STATE OF ILLINOIS  
MONROE COUNTY  
RECORDED FOR RECORD  
104032

MAY 17 AM 8:53

120 PAGE 545  
RECORDED  
Richard A. Stanley

0202286



STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
DEPT. OF REVENUE  
5-17-76  
\$21.00  
cas



WARRANTY DEED

THIS INDENTURE WITNESSETH, That the Grantor,  
GEORGE P. ZIEBOLD, 715 Waterloo Drive, Waterloo, Monroe  
County, Illinois, Successor Trustee of the Minnie E. Ziebold  
Trust Agreement, dated December 30, 1941, recorded in the  
Recorder's Office, Monroe County, Illinois, in Book of Deeds  
59, at page 352, for and in consideration of the sum of  
THREE HUNDRED TWENTY ONE THOUSAND DOLLARS (\$321,000.00), in  
hand paid, conveys and warrants to LESTER O. DILLENBERGER  
and JAMES L. DILLENBERGER, as Tenants in Common, RFD #2,  
Valmeyer, Monroe County, State of Illinois, the following  
described Real Estate, to-wit:

The Southwest Fractional 1/4 of Section 26,  
the Southeast Fractional 1/4 of Section 27, the Southeast  
1/4 of the Southwest 1/4 of Section 27, also part of  
the Northwest Fractional 1/4 of Section 26 described as  
follows, to-wit:-

Beginning at a stone at center of Section 26;  
thence North 89 degrees West on 1/4 Section line 15  
chains and 24-1/2 links to a stone on Southeasterly  
boundary line of Survey 564 Claim 620; thence North  
48 degrees 25 minutes East along said Southerly line  
of said Survey 7.42 chains to most Easterly corner of  
said Survey; thence South 86 degrees 50 minutes East  
along South boundary line of the County Road 9.71  
chains to a post on 1/4 Section line which runs  
North and South through Section 26; thence South  
on said 1/4 Section line 4.53-1/2 chains to place  
of beginning.

ALSO,

All that part of Survey 564 Claim 620 that lies  
East of the Right of Way of the St. Louis and Iron  
Mountain Railroad, running through said Survey.

ALSO,

All that part of said Survey and Claim described  
as follows:-

Beginning on the Southerly boundary line of said  
Survey boundary line of said Survey at a point 21 chains  
and 71-1/2 links from the most Westerly corner of said  
Survey; thence North 48 degrees 21 minutes East  
parallel with the Northeasterly line of said Survey  
to the Westerly line of right of way of St. Louis  
and Iron Mountain Railroad; thence down said Westerly  
line of said Railroad to the Southerly boundary line  
of said survey; thence to the place of beginning.

ALSO,

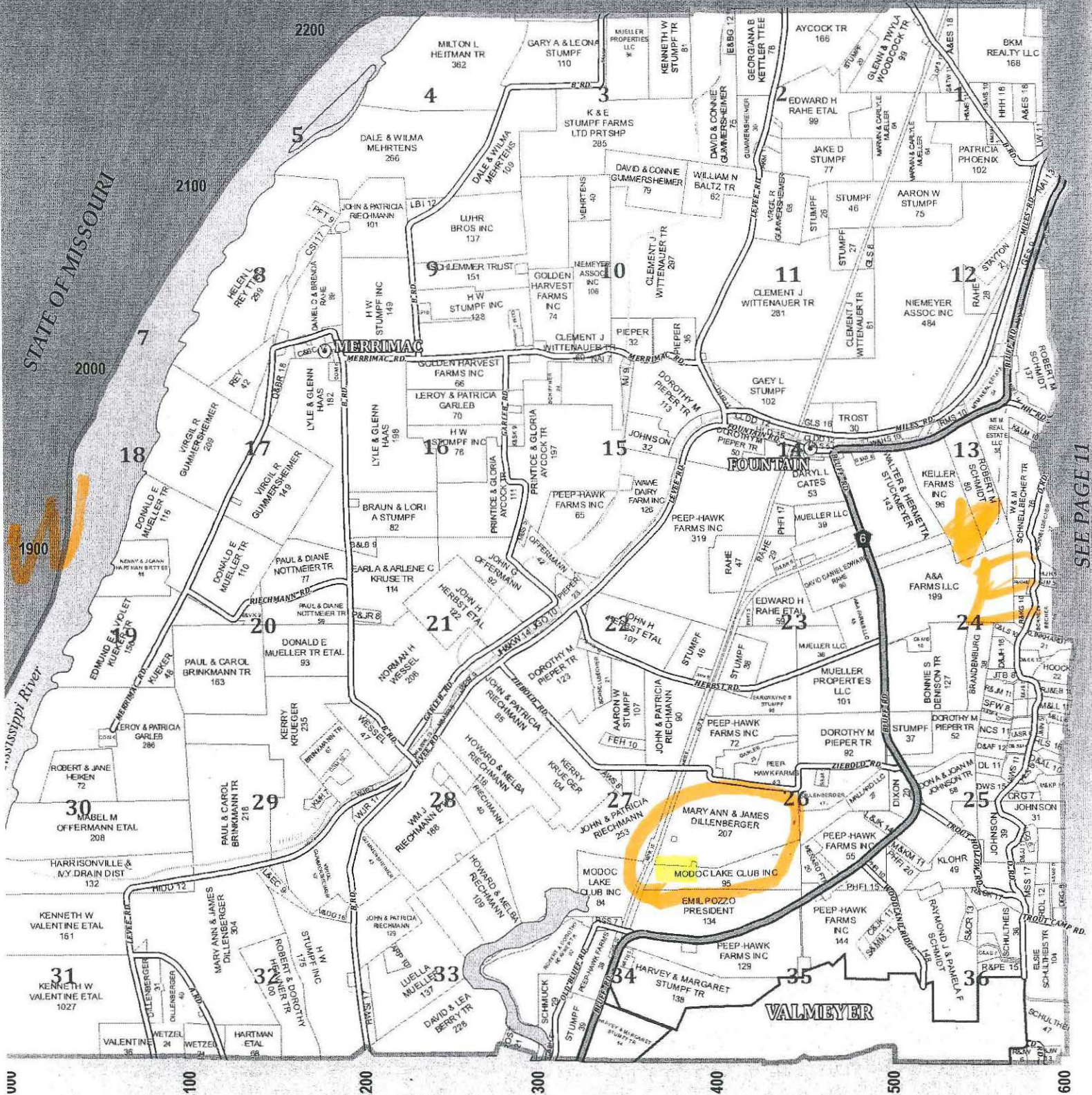
All that part of the Northeast 1/4 of said  
Section 27 described as follows:-

Beginning at a point where the Northerly line of  
said Survey 564 Claim 620 intersects the Easterly line  
of the right of way of said St. Louis and Iron Mountain  
Railroad; thence along the Northerly line of said  
Survey South 81 degrees 31 minutes East to the  
Section line between Sections 26 and 27 aforesaid;  
thence North on said Section line 4.59 chains; thence  
West to the Easterly line of right of way of said St.  
Louis and Iron Mountain Railroad; thence Southwardly  
along said line of said Railroad right of way to  
place of beginning.



SEE PAGE 8

SEE PAGE 11



SEE PAGE 13

Monroe County Electric

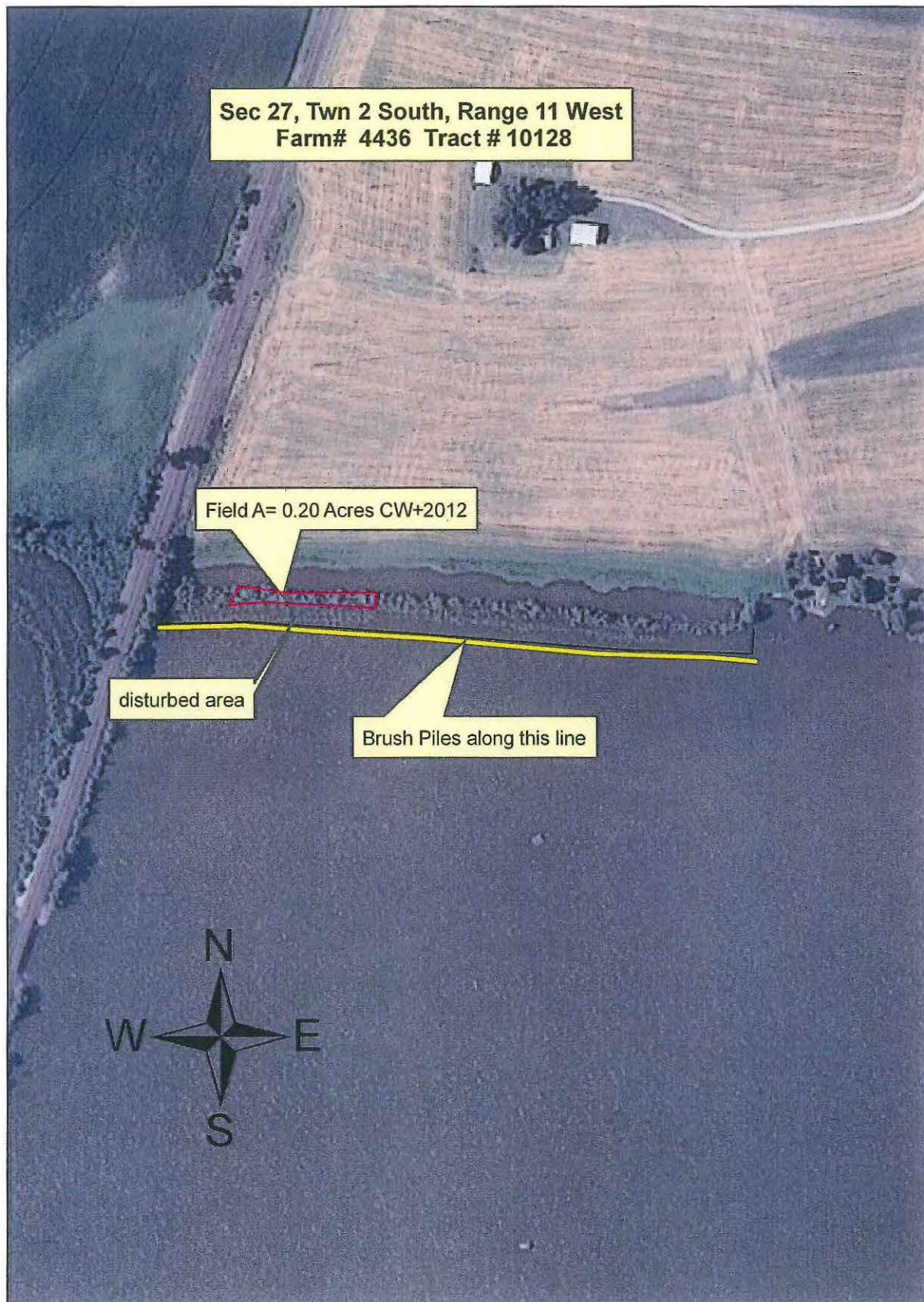
Call us for information about:

- System GT Rebates
- Electric Heat Rate





# Dillenberger Wetland Compliance 2010 Photo

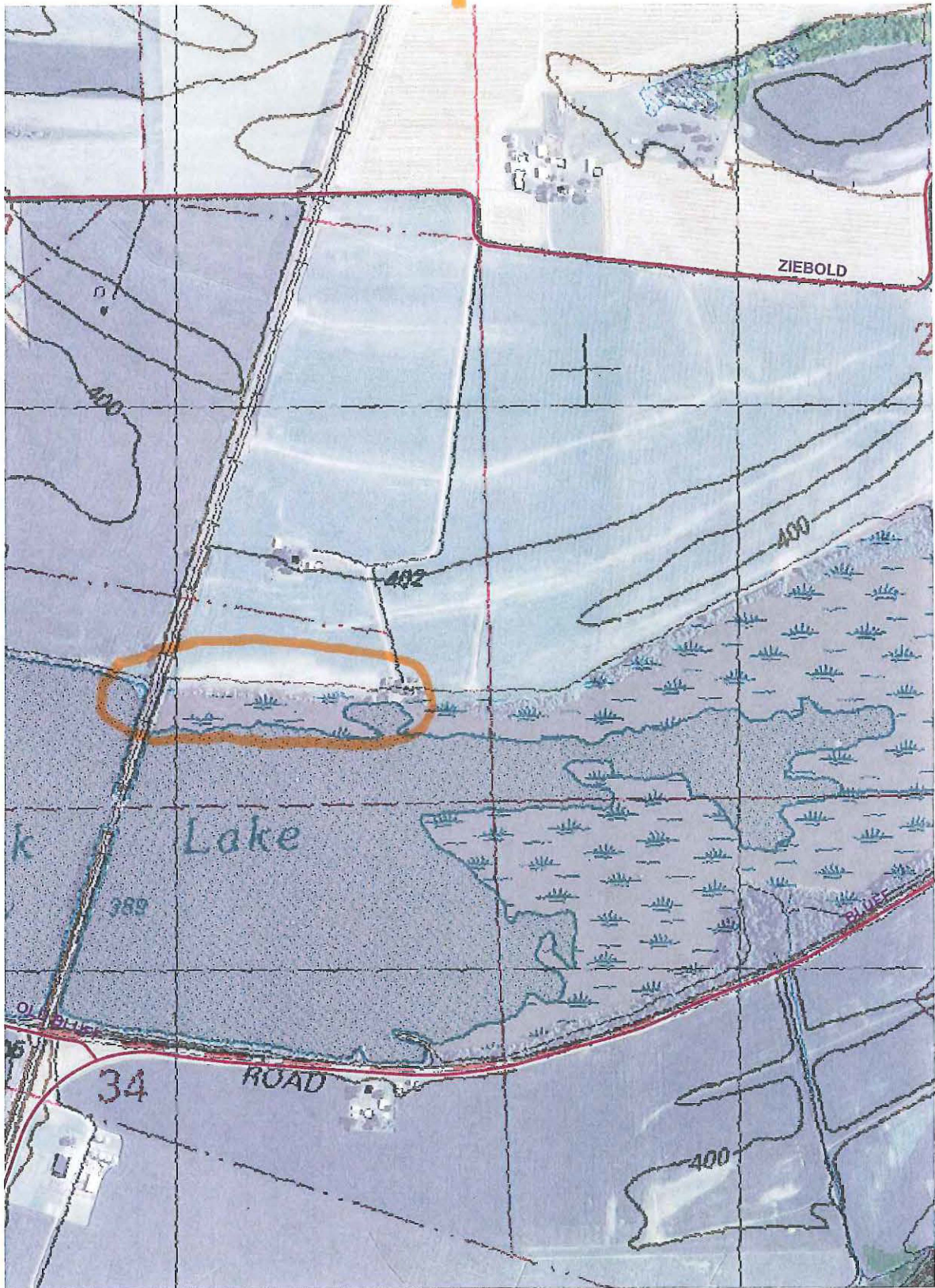




**Que #3 & #4**

Large fluctuating  
area of high  
and low water.  
Water is very  
high right now.

IV



W

S



# Question 2, 5, 7, 8

2a) The work was only being done to try to eliminate shade along our existing field. We have been doing this every five or ten years since we first bought it. We were definitely not trying to gain any additional farm ground.

2)b The job was started the first week of November. I don't have the exact dates.

2)(c d e) I don't have a specific answer.

7) I would guess about 1000 ft of shoreline and debris were pushed but thought it was only back to original line. Not to gain any more

8) The work was done with a D-6 dozer operated by a fellow farmer - Allan Eschmann  
3210 Bushy Prairie Rd.  
Fults Ill. 62244

Phone - [REDACTED]



**Schwarze, Lisa - FSA, Waterloo, IL**

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**From:** Mathews, Linda - FSA, Waterloo, IL  
**Sent:** Thursday, December 19, 2013 3:34 PM  
**To:** Johanning, Wayne - NRCS, Waterloo, IL  
**Cc:** Schwarze, Lisa - FSA, Waterloo, IL  
**Subject:** RE: Dillenberger CW

This should take care of it on our end. We will file a copy of this email with the 569 and move forward. Thanks!

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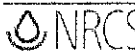
**From:** Johanning, Wayne - NRCS, Waterloo, IL  
**Sent:** Thursday, December 19, 2013 2:19 PM  
**To:** Mathews, Linda - FSA, Waterloo, IL  
**Subject:** Dillenberger CW

Linda,

I checked Jim Dillenberger's cypress tree planting this AM for his CW compliance. He has planted the 44 cypress tree seedlings. Is there anything else that you need for this?

**Wayne Johanning**  
NRCS District Conservationist  
140 Williamsburg Lane  
Waterloo, IL 62298  
Phone (618) 939-6181, ext. 3  
Fax (618) 939-4647

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 **Natural Resources  
Conservation Service**

*Helping People Help the Land*  
USDA is an equal opportunity provider and employer.

Question  
#9 & #13

SHADYCREEK NURSERY  
201 CARL ST  
COLUMBIA, IL 62236-1  
618-281-7722

TERMINAL ID: 0007920008016003595000  
MERCHANT #: 0016003595

5 U.S.C. § 552(b)(6)

SWIPED

SALE

RECORD: 1

DATE: Dec 13, 13

BATCH: 000334

TRN: 1213143340

INV: 000001  
TIME: 08:33

AUTH: 00244C

VISA TRAN ID: MMBP6MLC0

APPROVAL: 00244C

TOTAL \$111.83

JAMES DILLENBERGER

CUSTOMER COPY

12/13/2013 8:33 AM

Sales Receipt #14255

SHADYCREEK  
NURSERY AND GARDEN

Shadycreek Nursery & Garden

201 Carl Street  
Columbia, IL 62236  
(618) 281-7722

www.shadycreeknurserygarden.com

Cashier: Worm

Item Name	Qty	Price	Ext Price
Cypress seedlings	60	\$1.75	\$105.00
		Subtotal:	\$105.00
Local Sales Tax		6.5 % Tax	+ \$6.83
RECEIPT TOTAL:			\$111.83

Credit Card: \$111.83

MasterCard

Guarantee lasts 90 days from day of purchase. One replacement only. Plants installed by Shadycreek Nursery staff are guaranteed 100% for 1 year. LABOR IS NOT GUARANTEED. No guarantees on items bought on "Specials" "Discounts" and "Sales".



14255

Received  
DEC 23 2013  
Monroe County FSA  
Waterloo, IL



United States  
Department of  
Agriculture

Farm  
Service  
Agency

Monroe County FSA Office  
138 Williamsburg Lane  
Waterloo, IL 62298

May 13, 2013

Dillenger Farms  
6664 A Road  
Valmeyer, IL 62295

Dear Mr. Dillenger:

On May 9, 2013 we were notified that the State Executive Director Scherrie V. Giamanco and NRCS State Conservationist Ivan Dozier concurred with the Monroe County Committee's determination to approve good faith relief on the violation of the Conservation Compliance provisions as a result of converting wetlands on Tract 10128.

According to Handbook 6-CP (Rev. 4) paragraph 631A, an approved restoration or mitigation plan must be signed and approved before eligibility is reinstated. Based on the AD-1069 you agreed to and signed the mitigation agreement on March 15, 2013.

According to the mitigation plan you were to begin planting as soon as the ground can be worked in late winter or spring and **complete by May 15, 2013**. Therefore, please stop by the office to confirm that required actions have been completed and to complete a new Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification, AD-1026.

If you have any questions regarding this matter please stop by the office or contact us at (618) 939-6181 extension 2.

Sincerely,

Linda Mathews  
County Executive Director  
Monroe County FSA Office

Cc: Chad Dillenger  
Jason Siburt  
James F. & Susan H. Dillenger Rev. Trust





United States  
Department of  
Agriculture

Farm Service Agency  
Illinois State Office  
3500 Wabash Ave  
Springfield, Illinois  
62711-8287

☒ sent e-mail only  
☐ sent e-mail & original

May 9, 2013  
In reply refer to: CEPD:KAM

TO : Linda Mathews, CED  
Monroe County FSA Office

FROM : Scherrie V. Giamanco, SED  
Illinois State FSA Office

Received  
MAY 10 2013

SUBJECT : WC Violation- Good Faith Relief and NRCS Technical Concurrence  
Chad Dillenger, Jason Siburt, James F. & Susan H. Dillenger Rev. Trust,  
and Dillenger Farms

State Executive Director Scherrie V. Giamanco concurred with the Monroe County Committee's determination to approve good faith relief for the subject producers. The subject producers were determined to be in violation of the Conservation Compliance provisions as a result of converting wetlands on Tract 10128.

NRCS State Conservationist Ivan Dozier notified this office that he concurs with the NRCS technical determinations. A copy of that concurrence is attached for your files.

**According to Handbook 6-CP (Rev. 4) paragraph 631A, an approved restoration or mitigation plan must be signed and approved before eligibility is reinstated.** Please ensure that Part D of the AD-1069 has been completed by NRCS personnel indicating the subject producers have agreed to and signed the restoration/mitigation agreements.

Follow the instructions in Handbook 6-CP, paragraph 305 for obtaining a new AD-1026 and paragraph 641 for updating the producer's eligibility file. If the producer is a multi-county producer, notify the applicable County Offices of the reinstatement of program eligibility.

Notify the subject producers immediately of the County Committee's and State Executive Director's determination to approve good faith relief and the State Conservationist's technical concurrence. Also ensure they understand reinstating eligibility for WC violators approved for relief under the good faith exemption becomes effective only when they sign an approved conservation and mitigation plan, as applicable.

If you have any questions, please contact the STO-CEPD. Also, notify them that you have received this memorandum so the STO files may be closed on this situation.

cc: DD Gvillo  
NRCS State Conservationist

This form is available electronically.

AD-1069 (02-05-12)	U. S. DEPARTMENT OF AGRICULTURE Farm Service Agency Natural Resources Conservation Service	1A. State Name ILLINOIS	1B. County Name MONROE
<b>REQUEST FOR GOOD FAITH RELIEF WETLAND CONSERVATION (WC) VIOLATION</b>			

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 12 and the Food, Security Act of 1985 as amended. The information will be used to determine eligibility for program benefits. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for program benefits.

This information collection is exempted from the Paperwork Reduction Act, as it is required for administration of The Food, Conservation, and Energy Act of 2008 (see Pub. L. 110-246) Title II, Subtitle J - Miscellaneous Conservation Provisions. The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. COMPLETE PART A AND RETURN THIS FORM TO YOUR LOCAL FSA OFFICE.

#### PART A - PRODUCER'S REQUEST

2. Name and Address of Producer (including Zip Code): DILLENBERGER FARMS 6664 A Rd Valmeyer, IL 62295	3. Telephone No. (including Area Code) U.S.C. § 552(b)(6)	4. Tax Identification No. (last 4 digits) XXXX
	5. Farm No. With WC Violation 4436	6. Crop Year of Determination 2012

7. Request for a good faith determination. (State the circumstances surrounding the wetland activity for which a determination is requested. Include any evidence that the activities were performed in good faith and without intent to violate WC provisions and not as a scheme or device to avoid compliance.)

*Just was wanting to push back trees to original farm line - See attached letter. Also will complete the restoration as required.*

8A. Signature of Producer (By) <i>John Dillemberger</i>	8B. Title/Relationship of the Individual Pres.	8C. Date (MM-DD-YYYY) 3/5/13	FSA COMPLETES
			9. Date Referred to NRCS (MM-DD-YYYY) 3-15-2013

NOTE TO PRODUCER: Application for a good faith determination does not preclude the opportunity to exercise appeal rights according to notice given with regard to the WC determination. If a good faith relief request is approved by the county committee with concurrence of the State Executive Director and NRCS, eligibility will not be restored until a mitigation agreement according to NRCS requirements is signed. The wetland must then be mitigated within the period required by NRCS.

#### PART B - NRCS INFORMATION

10. Describe any pertinent facts relating to the case that NRCS or the Soil and Water Conservation District have that may affect the COC determination:

*Needs to implement restoration plan*

11. Was the producer informed of the wetland determination made by NRCS through personal contact?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
12. Does NRCS have knowledge that the producer was involved in a previous National, State, or local wetland violation issue?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. Did NRCS have a discussion at any time with the producer concerning the wetland before the activity occurred? If "YES", describe the situation:	<input type="checkbox"/>	<input checked="" type="checkbox"/>

14A. Signature of NRCS Employee <i>John Dillemberger</i>	14B. Date (MM-DD-YYYY) 3-15-2013	15. Date Returned to FSA (MM-DD-YYYY) 3-15-2013
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#### PART C - DETERMINATION BY COC AND CONCURRENCES

16. Based on information available, the COC determined that:  
☒ Was made by the producer. ☐ Was not made by the producer.

17. Reasons for the COC determination (Attach an additional sheet, if necessary).  
*Producer was unaware that program procedure prohibited pushing trees back to the original field boundary and is willing to restore the area of 12 acres.*

18A. Signature of COC <i>John Dillemberger</i>	18B. Date Signed (MM-DD-YYYY) 3-15-13	19A. Signature of SED/DD for Concurrence <i>Sharon V. Hearn</i>	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do not concur	19B. Date Signed (MM-DD-YYYY) 4-29-2013
---	--	--	---	--

20. If SED/DD Does Not Concur, Provide Reasons:

21A. Signature of NRCS State/Area Conservationist For Technical Concurrence <i>John Dillemberger</i>	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do not concur	21B. Date Signed (MM-DD-YYYY) 05/03/13
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#### PART D - MITIGATION PLAN

A Good Faith determination resulting in the reinstatement of USDA program benefits shall become effective after all required signatures in Part C are obtained and the producer signs the required mitigation plan.

22. Date mitigation plan was signed by the producer (MM-DD-YYYY): *3/15/2013*

23A. Signature of NRCS Employee <i>John Dillemberger</i>	23B. Date Signed (MM-DD-YYYY) 3/15/13
---	--

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This form is available electronically.

AD-1089 (02-06-12)	U. S. DEPARTMENT OF AGRICULTURE Farm Service Agency Natural Resources Conservation Service	1A. State Name ILLINOIS	1B. County Name MONROE
<b>REQUEST FOR GOOD FAITH RELIEF WETLAND CONSERVATION (WC) VIOLATION</b>			

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552e - as amended). The authority for requesting the information identified on this form is 7 CFR Part 12 and the Food, Security Act of 1986 as amended. The information will be used to determine eligibility for program benefits. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for program benefits.

This information collection is exempted from the Paperwork Reduction Act, as it is required for administration of The Food, Conservation, and Energy Act of 2008 (see Pub. L. 110-246) Title II, Subtitle J - Miscellaneous Conservation Provisions. The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. COMPLETE PART A AND RETURN THIS FORM TO YOUR LOCAL FSA OFFICE.

#### PART A - PRODUCER'S REQUEST

2. Name and Address of Producer (including Zip Code): Chad Dillenberger 6664 A Rd Valmeyer, IL 62295	3. Telephone No. (including Area Code) 5 U.S.C. § 552(b)(6)	4. Tax Identification No. (last 4 digits) U.S.C.	5. Farm No. With WC Violation 4436	6. Crop Year of Determination 2012
7. Request for a good faith determination. (State the circumstances surrounding the wetland activity for which a determination is requested. Include any evidence that the activities were performed in good faith and without intent to violate WC provisions, and not as a scheme or device to avoid compliance.) Just was wanting to push back trees to original farm line. See attached letter.				
8A. Signature of Producer (By) 	8B. Title/Relationship of the Individual Signing in the Representative Capacity Secretary	8C. Date (MM-DD-YYYY) 03/19/2013	9. Date Referred to NRCS (MM-DD-YYYY) 3/15/13	

NOTE TO PRODUCER: Application for a good faith determination does not preclude the opportunity to exercise appeal rights according to notices given with regard to the WC determination. If a good faith relief request is approved by the county committee with concurrence of the State Executive Director and NRCS, eligibility will not be restored until a mitigation agreement according to NRCS requirements is signed. The wetland must then be mitigated within the period required by NRCS.

#### PART B - NRCS INFORMATION

10. Describe any pertinent facts relating to the case that NRCS or the Soil and Water Conservation District have that may affect the COC determination: Needs to implement mitigation plan.	YES	NO
11. Was the producer informed of the wetland determination made by NRCS through personal contact?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. Does NRCS have knowledge that the producer was involved in a previous National, State, or local wetland violation issue?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. Did NRCS have a discussion at any time with the producer concerning the wetland before the activity occurred? If "YES", describe the situation:	<input type="checkbox"/>	<input checked="" type="checkbox"/>

14A. Signature of NRCS Employee 	14B. Date (MM-DD-YYYY) 3-15-2013	15. Date Returned to FSA (MM-DD-YYYY) 3-15-2013
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#### PART C - DETERMINATION BY COC AND CONCURRENCES

16. Based on information available, the COC determined that a good faith effort to comply without intent to violate: <input checked="" type="checkbox"/> Was made by the producer. <input type="checkbox"/> Was not made by the producer.	17. Reasons for the COC determination (Attach an additional sheet, if necessary.) Producer was unaware that program procedure prohibits pushing trees back to the original field boundary and is willing to restore the area of damage.		
18A. Signature of COC 	18B. Date Signed (MM-DD-YYYY) 3/15/2013	19A. Signature of SEB/DD for Concurrence 	19B. Date Signed (MM-DD-YYYY) 4-29-2013
20. If SEB/DD Does Not Concur, Provide Reasons:			

21A. Signature of NRCS State Area Conservationist For Technical Concurrence 	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do not concur	21B. Date Signed (MM-DD-YYYY) 05/03/13
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#### PART D - MITIGATION PLAN

A Good Faith determination resulting in the reinstatement of USDA program benefits shall become effective after all required signatures in Part C are obtained and the producer signs the required mitigation plan.

22. Date mitigation plan was signed by the producer (MM-DD-YYYY):

23A. Signature of NRCS Employee 	23B. Date Signed (MM-DD-YYYY) 3-15-13
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The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 0410, Washington, DC 20260-0410, or call toll-free at (866) 632-9902 (English) or (800) 877-0339 (TDD) or (800) 877-0642 (English Federal-relay) or (800) 845-6198 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.



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AD-1089  
(02-06-12)

U. S. DEPARTMENT OF AGRICULTURE  
Farm Service Agency  
Natural Resources Conservation Service

1A. State Name

1B. County Name

ILLINOIS

MONROE

REQUEST FOR GOOD FAITH RELIEF  
WETLAND CONSERVATION (WC) VIOLATION

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 12 and the Food, Security Act of 1985 as amended. The information will be used to determine eligibility for program benefits. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for program benefits.

This information collection is exempted from the Paperwork Reduction Act, as it is required for administration of The Food, Conservation, and Energy Act of 2008 (see Pub. L. 110-246) Title II, Subtitle J - Miscellaneous Conservation Provisions. The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. COMPLETE PART A AND RETURN THIS FORM TO YOUR LOCAL FSA OFFICE.

PART A - PRODUCER'S REQUEST

2. Name and Address of Producer (including Zip Code):

Jason Siburt  
3079 State Route 156  
Waterloo, IL 62298

3. Telephone No. (including Area Code)

5 U.S.C. § 552(b)(6)

4. Tax Identification No. (last 4 digits)

XXXX

5. Farm No. With WC Violation

4436

6. Crop Year of Determination

2012

7. Request for a good faith determination. (State the circumstances surrounding the wetland activity for which a determination is requested. Include any evidence that the activities were performed in good faith and without intent to violate WC provisions and not as a scheme or device to avoid compliance.)

also will complete the restoration as required.  
Just was wanting to push back trees to original farm line - See attached letter

8A. Signature of Producer (By)

Jason Siburt

8B. Title/Relationship of the Individual Signing in the Representative Capacity

Vice President

9C. Date (MM-DD-YYYY)

3-9-13

FSA COMPLETES

9. Date Referred to NRCS (MM-DD-YYYY)

3/15/2013

NOTE TO PRODUCER: Application for a good faith determination does not preclude the opportunity to exercise appeal rights according to notice given with regard to the WC determination. If a good faith relief request is approved by the county committee with concurrence of the State Executive Director and NRCS, eligibility will not be restored until a mitigation agreement according to NRCS requirements is signed. The wetland must then be mitigated within the period required by NRCS.

PART B - NRCS INFORMATION

10. Describe any pertinent facts relating to the case that NRCS or the Soil and Water Conservation District have that may affect the COC determination:

Needs to implement restoration plan

11. Was the producer informed of the wetland determination made by NRCS through personal contact?

YES NO  
☐ ☒

12. Does NRCS have knowledge that the producer was involved in a previous National, State, or local wetland violation issue?

☐ ☒

13. Did NRCS have a discussion at any time with the producer concerning the wetland before the activity occurred? If "YES", describe the situation:

☐ ☒

14A. Signature of NRCS Employee

Maureen Johnson

14B. Date (MM-DD-YYYY)

3-15-2013

16. Date Returned to FSA (MM-DD-YYYY)

3-15-2015

PART C - DETERMINATION BY COC AND CONCURRENCES

16. Based on information available, the COC determined that a good faith effort to comply without intent to violate:

☒ Was made by the producer.

☐ Was not made by the producer.

17. Reasons for the COC determination (Attach an additional sheet, if necessary.)

Producer was unaware that program procedure prohibits pushing trees back to the original field boundary and is willing to restore the area of 2 acres

18A. Signature of COC

X. St. John

18B. Date Signed (MM-DD-YYYY)

3/15/2013

19A. Signature of SED/DD for Concurrence

Richard [Signature]

☒ Concur

☐ Do not concur

19B. Date Signed (MM-DD-YYYY)

4-29-2013

20. If SED/DD Does Not Concur, Provide Reasons:

21A. Signature of NRCS State/Area Conservationist For Technical Concurrence

Vi P. [Signature]

☒ Concur

☐ Do not concur

21B. Date Signed (MM-DD-YYYY)

05/03/13

PART D - MITIGATION PLAN

A Good Faith determination resulting in the reinstatement of USDA program benefits shall become effective after all required signatures in Part C are obtained and the producer signs the required mitigation plan.

22. Date mitigation plan was signed by the producer (MM-DD-YYYY):

23A. Signature of NRCS Employee

Maureen Johnson

23B. Date Signed (MM-DD-YYYY)

3/15/13

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, pension information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2900 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 692-6922 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

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AD-1069 (02-06-12)	U. S. DEPARTMENT OF AGRICULTURE Farm Service Agency Natural Resources Conservation Service	1A. State Name ILLINOIS	1B. County Name MONROE
REQUEST FOR GOOD FAITH RELIEF WETLAND CONSERVATION (WC) VIOLATION			

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 12 and the Food, Security Act of 1985 as amended. The information will be used to determine eligibility for program benefits. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated), Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for program benefits.

This information collection is exempted from the Paperwork Reduction Act, as it is required for administration of The Food, Conservation, and Energy Act of 2008 (see Pub. L. 110-246) Title II, Subtitle J - Miscellaneous Conservation Provisions. The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. COMPLETE PART A AND RETURN THIS FORM TO YOUR LOCAL FSA OFFICE.

#### PART A - PRODUCER'S REQUEST

2. Name and Address of Producer (Including Zip Code): James F. & Susan H. Dillenberger Rev. Trust 6664 A Rd Valmeyer, IL 62295	3. Telephone No. (Including Area Code) 5 U.S.C. § 552(b)(6)	4. Tax Identification No. (last 4 digits) 0000
5. Farm No. With WC Violation 4436	6. Crop Year of Determination 2012	
7. Request for a good faith determination. (State the circumstances surrounding the wetland activity for which a determination is requested. Include any evidence that the activities were performed in good faith and without intent to violate WC provisions, and not as a scheme or device to avoid compliance.) Also will complete restoration as requested. Just was wanting to push back trees to original farm line. See attached letter.		
8A. Signature of Producer (By) James Dillenberger Pres	8B. Title/Relationship of the individual Signing in the Representative Capacity Pres	8C. Date (MM-DD-YYYY) 3/5/13
9. Date Referred to NRCS (MM-DD-YYYY) 3/15/13		FSA COMPLETES.

NOTE TO PRODUCER: Application for a good faith determination does not preclude the opportunity to exercise appeal rights according to notice given with regard to the WC determination. If a good faith relief request is approved by the county committee with concurrence of the State Executive Director and NRCS, eligibility will not be restored until a mitigation agreement according to NRCS requirements is signed. The wetland must then be mitigated within the period required by NRCS.

#### PART B - NRCS INFORMATION

10. Describe any pertinent facts relating to the case that NRCS or the Soil and Water Conservation District have that may affect the COO determination: Needs to implement restoration plan.		
11. Was the producer informed of the wetland determination made by NRCS through personal contact?	YES	NO
12. Does NRCS have knowledge that the producer was involved in a previous National, State, or local wetland violation issue?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. Did NRCS have a discussion at any time with the producer concerning the wetland before the activity occurred? If "YES", describe the situation:	<input type="checkbox"/>	<input checked="" type="checkbox"/>

14A. Signature of NRCS Employee Mamad Dabouman	14B. Date (MM-DD-YYYY) 3/5/2013	15. Date Returned to FSA (MM-DD-YYYY) 3/5/2013
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#### PART C - DETERMINATION BY COO AND CONCURRENCES

16. Based on information available, the COO determined that a good faith effort to comply without intent to violate: <input checked="" type="checkbox"/> Was made by the producer. <input type="checkbox"/> Was not made by the producer.			
17. Reasons for the COO determination (Attach an additional sheet, if necessary.) Producer was unaware that program procedure prohibits pushing trees back to the original field boundary line and is willing to restore land.			
18A. Signature of COO [Signature]	18B. Date Signed (MM-DD-YYYY) 3/15/2013	19A. Signature of SED/DD for Concurrence [Signature]	19B. Date Signed (MM-DD-YYYY) 4-29-2013
20. If SED/DD Does Not Concur, Provide Reasons:			

21A. Signature of NRCS State/Area Conservationist For Technical Concurrence [Signature]	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do not concur	21B. Date Signed (MM-DD-YYYY) 05/03/13
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#### PART D - MITIGATION PLAN

A Good Faith determination resulting in the reinstatement of USDA program benefits shall become effective after all required signatures in Part C are obtained and the producer signs the required mitigation plan.	
22. Date mitigation plan was signed by the producer (MM-DD-YYYY):	3/15/2013
23A. Signature of NRCS Employee [Signature]	23B. Date Signed (MM-DD-YYYY) 3/15/13

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AD-1069

(02-06-12)

U. S. DEPARTMENT OF AGRICULTURE

Farm Service Agency  
Natural Resources Conservation Service

1A. State Name

ILLINOIS

1B. County Name

MONROE

REQUEST FOR GOOD FAITH RELIEF  
WETLAND CONSERVATION (WC) VIOLATION

**NOTE:** The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 12 and the Food, Security Act of 1985 as amended. The information will be used to determine eligibility for program benefits. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for program benefits.

This information collection is exempted from the Paperwork Reduction Act, as it is required for administration of The Food, Conservation, and Energy Act of 2008 (see Pub. L. 110-246) Title II, Subtitle J - Miscellaneous Conservation Provisions. The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. **COMPLETE PART A AND RETURN THIS FORM TO YOUR LOCAL FSA OFFICE.**

**PART A - PRODUCER'S REQUEST**

2. Name and Address of Producer (Including Zip Code):

DILLENBERGER FARMS

6664 A Rd

Valmeyer, IL 62295

3. Telephone No. (Including Area Code)

5 U.S.C. § 552(b)(6)

4. Tax Identification No. (last 4 digits)

5 U.S.C. § 5

5. Farm No. With WC Violation

4436

6. Crop Year of Determination

2012

7. Request for a good faith determination. (State the circumstances surrounding the wetland activity for which a determination is requested. Include any evidence that the activities were performed in good faith and without intent to violate WC provisions and not as a scheme or device to avoid compliance.)

Just was wanting to push back trees to original farm line - See attached letter. Also, will complete the restoration as required.

8A. Signature of Producer (By)

Dillon Farmer  
by John Dillon (Pres)

8B. Title/Relationship of the Individual  
Signing in the Representative Capacity

Pres.

8C. Date (MM-DD-YYYY)

3/5/13

FSA COMPLETES

9. Date Referred to NRCS (MM-DD-YYYY)

3-15-2013

**NOTE TO PRODUCER:** Application for a good faith determination does not preclude the opportunity to exercise appeal rights according to notice given with regard to the WC determination. If a good faith relief request is approved by the county committee with concurrence of the State Executive Director and NRCS, eligibility will not be restored until a mitigation agreement according to NRCS requirements is signed. The wetland must then be mitigated within the period required by NRCS.

**PART B - NRCS INFORMATION**

10. Describe any pertinent facts relating to the case that NRCS or the Soil and Water Conservation District have that may affect the COC determination:

Needs to implement restoration plan.

11. Was the producer informed of the wetland determination made by NRCS through personal contact?

YES

NO

☐

☒

12. Does NRCS have knowledge that the producer was involved in a previous National, State, or local wetland violation issue?

☐

☒

13. Did NRCS have a discussion at any time with the producer concerning the wetland before the activity occurred? If "YES", describe the situation:

☐

☒

14A. Signature of NRCS Employee

Mark Lehman

14B. Date (MM-DD-YYYY)

3-15-2013

15. Date Returned to FSA (MM-DD-YYYY)

3-15-2013

**PART C - DETERMINATION BY COC AND CONCURRENCES**

16. Based on information available, the COC determined that a good faith effort to comply without intent to violate:

☒ Was made by the producer.

☐ Was not made by the producer.

17. Reasons for the COC determination (Attach an additional sheet, if necessary.)

Producer was unaware that program procedure prohibited pushing trees back to the original field boundary and is willing to restore the area of .2 acre.

18A. Signature of COC

Mark Lehman

18B. Date Signed  
(MM-DD-YYYY)

3-15-13

19A. Signature of SED/DD for Concurrence

☐ Concur

☐ Do not concur

19B. Date Signed  
(MM-DD-YYYY)

20. If SED/DD Does Not Concur, Provide Reasons:

21A. Signature of NRCS State/Area Conservationist For Technical Concurrence

☒ Concur

☒ Do not concur

21B. Date Signed (MM-DD-YYYY)

**PART D - MITIGATION PLAN**

A Good Faith determination resulting in the reinstatement of USDA program benefits shall become effective after all required signatures in Part C are obtained and the producer signs the required mitigation plan.

22. Date mitigation plan was signed by the producer (MM-DD-YYYY):

3/15/2013

23A. Signature of NRCS Employee

Mark Lehman

23B. Date Signed (MM-DD-YYYY)

3/15/13

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 677-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 645-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.



<b>FSA-569</b> (02-06-12) <b>U.S. DEPARTMENT OF AGRICULTURE</b> Farm Service Agency  <b>NRCS REPORT OF HELC AND WC COMPLIANCE</b>	1. Control Number 1
	2. Was This Determination Requested by NRCS? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

<b>PART A - TO BE COMPLETED BY FSA</b>			
<b>TO: NRCS</b>  <b>FROM 3. (County FSA Office Name and Address)</b> Monroe County FSA Office 138 Williamsburg Lane Waterloo, IL 62298	4. FSA Administrative County: <table border="1"> <tr> <td>A. State Name and Code Illinois - 17</td> <td>B. County Name and Code Monroe - 133</td> </tr> </table> 5. NRCS FIPS State and County Code 17-133 6. Farm Number 4436 7. Crop Year 2013 8. Tract Number 10128	A. State Name and Code Illinois - 17	B. County Name and Code Monroe - 133
A. State Name and Code Illinois - 17	B. County Name and Code Monroe - 133		

9. Producer Information			10. To be completed by NRCS
Producer	A. NAME AND ADDRESS	B. TAX ID NUMBER (Last 4 Digits)	Enter Date NRCS Technical Determination Is Final (MM-DD-YYYY)
Operator of Farm entered in Item 6.	DILLENBERGER FARMS INC 6664 A Rd - Valmeyer, IL 62295	USC 8	02-08-2013
Owner(s) of tract entered in Item 8.	JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST 6664 A Rd - Valmeyer, IL 62295	USC 8	2-8-2013
Tenant(s) or Sharecropper(s) on farm entered in Item 6 Note: Enter "NONE" if applicable.	BLUFFVIEW FARM INC 8490 Forest Blvd - Caseyville, IL 62232	USC 8	N/A

**INSTRUCTIONS FOR NRCS:** The above farm has been identified as having a potential noncompliance of the highly erodible land and wetland conservation provisions of the Food Security Act of 1985, as amended, for the crop year indicated above. Applicable field(s) or area(s) are marked with a red "X" on the attached photocopies.

- a) Please make applicable review(s) for the determination checked in Part B.  
 b) Complete Item 10 above when the NRCS technical determination becomes final and Part C below and return it to the FSA County Office immediately so that the producer's eligibility for program benefits can be determined.

11. FSA County Office Representative (Complete Part B) <i>Jenna Mathews</i>	12. Date Referred to NRCS (MM-DD-YYYY) 11/29/12
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<b>PART B - TYPE OF DETERMINATION</b>		<b>PART C - TO BE COMPLETED BY NRCS (Check this block if NRCS was refused access to the land to verify compliance).</b>		
FSA Enter a "check" for the type of determination requested		1. Check If Reviewed		2. Field Nos.
1.	<input type="checkbox"/> HELC Compliance Determination	<input type="checkbox"/> The field does "NOT" meet requirements of the HELC provisions		
		<input type="checkbox"/> The field meets the requirements of the HELC provisions.		
2.	<input type="checkbox"/> Verify wetland classification on land that was planted to an agricultural commodity	<input checked="" type="checkbox"/> The area identified is a CW.	A	0.2
		<input type="checkbox"/> The area identified is "NOT" CW.		
3.	<input checked="" type="checkbox"/> Determine whether an area is a wetland that was converted after 11/28/90.	<input checked="" type="checkbox"/> The area identified is a wetland that was converted after 11/28/90.	A	0.2
		<input type="checkbox"/> The area identified is "NOT" a wetland that was converted after 11/28/90.		
		NRCS Certification: NRCS reviewed the field(s) or area(s) requested for the subject farm that are entered in Part C, Items 2 and 3.		
		4A. Signature, NRCS Representative <i>Wayne Johnson</i>		4B. Date (MM-DD-YYYY) 01-07-2013

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Date: 1/8/2013

Dillenger Farms  
6664A Rd.  
Valmeyer, IL 62295

CERTIFIED MAIL

Dear Dillenger Farms;

The Food Security Act of 1985, as amended, requires any person who plants an agricultural commodity on a wetland converted after December 23, 1985, or converts a wetland after November 28, 1990 for the purpose of making production of an agricultural commodity possible, to be determined ineligible for many US Department of Agriculture (USDA) program benefits conditioned upon compliance with provisions set forth in USDA regulation 7 CFR Part 12 §12.4.

On December 18th, 2012 the Natural Resources Conservation Service (NRCS) conducted a wetland determination field investigation on Tract Number 10128 in Monroe County, Illinois. Based on the field investigation I have made a preliminary technical determination that:

- Field A shown in Section II of the attached NRCS-CPA-026E "HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION" form, contain wetlands and/or wetland violations with the labels/certifications as indicated.
- These areas met, or had met before conversion, wetland criteria of having soils that developed in wetlands, plants that grow in wetlands and soil and/or surface wetness.
- Your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985, as amended. This violation may impact your ability to receive many USDA program benefits if an exemption is not granted.

This preliminary technical determination has been conducted for the purpose of implementing the wetland conservation provisions of the Food Security Act of 1985. This determination may not be valid for identifying the Army Corps of Engineers' (COE) Clean Water Act jurisdiction for this site. If you intend to conduct any activity that constitutes a discharge of dredged or fill material into wetlands or other waters, you should request a jurisdictional determination from the local office of the COE prior to starting the work.

The following are your rights under the USDA Administrative Appeals Process, as provided by the NRCS Appeals Procedures, 7 CFR 614, May 16, 2006, 71 FR28239. To exercise these rights you must respond to this office within 30 days of this letter.

1. You may request reconsideration and a field visit from the local office. The request must be made in writing and can be sent by email, fax, regular mail, or be hand delivered to the NRCS office located at: 140 Williamsburg Lane, Waterloo, IL 62298, ph. 618-939-6181 ext 3, fax 618-939-4647, or email [wayne.johanning@il.usda.gov](mailto:wayne.johanning@il.usda.gov).

A field review will be conducted by NRCS field office personnel and an NRCS Area Technical Specialist, to review with you the basis for the preliminary technical

determination, answer any questions you may have, gather additional information from you concerning the preliminary determination and conduct additional field investigations if necessary.

Following the field visit, if the facts as presented at the field visit result in a determination that is no longer adverse to you as a USDA Program Participant, I will issue a final technical determination within 15 days. If, however, the determination remains adverse, I must by regulation at 7 CFR 614.7(b), forward my technical determination and all findings, including those from the field visit, to the State Conservationist for review and issuance of the final technical determination. If that determination is adverse, the State Conservationist will issue your appeal rights on the final technical determination.

2. You may also request mediation. Mediation may be used in an attempt to explain the preliminary technical determination, review other information that may be pertinent to your farming operation, and to provide a forum for a potential solution to any concerns you have with the preliminary technical determination. If you need information to assist you in deciding whether to mediate our decision you can call or e-mail the Illinois Agricultural Mediation Program or visit their web sites at [www.ilagmediation.org](http://www.ilagmediation.org) and [www.dri-inc.org](http://www.dri-inc.org). To request mediation, fax, email or mail a signed request with your contact information and a copy of this determination letter to the Illinois Agricultural Mediation Program office at:

Illinois Agricultural Mediation Program  
Dispute Resolution Institute, Inc.  
P.O. Box 1136  
Carbondale, IL 62903  
Phone: (618) 549-1300  
Fax: 618-351-1419  
Email: [iamp@dri-inc.org](mailto:iamp@dri-inc.org)

Mediation must be completed within 30 days from the date of the first mediation session. If an agreement is not reached, the mediation process ends. If an agreement is reached, I will issue a final technical determination that will be issued on the basis of the mediation agreement not later than 15 calendar days from the date the mediation agreement is signed by all parties. There will be no further appeal rights available if you choose mediation and the issue is successfully resolved.

3. If you wish to expedite the formal appeal process, you may make a written request to waive your informal reconsideration and/or mediation rights of the preliminary technical determination. Such request will render the preliminary technical determination final and appealable.

Until the preliminary technical determination subject to this notification becomes a final technical determination, the Farm Service Agency (FSA) will not use the preliminary technical determination to make decisions on your eligibility for any USDA program benefits subject to the Conservation Compliance Provisions.



If you are the owner of tract 10128 and the tract is being farmed by a tenant, I urge you to discuss this letter with your tenant. Likewise, if you are the tenant of tract 10128, I urge you to discuss this letter with your landlord.

Sincerely,

**Bryan Fitch**

Digitally signed by Bryan Fitch  
DN: cn=Bryan Fitch, o=USDA-  
NRCS,  
email=bryan.fitch@usda.gov,  
c=US  
Date: 2013.01.07 14:55:00 -06'00'

Designated Conservationist

Attachments:

NRCS-CPA-026E HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION  
DETERMINATION with map

cc: Monroe County Soil & Water Conservation District

# WETLAND MITIGATION PLAN\AGREEMENT

Name: James Dillenger Date: January 10, 2013  
County: Monroe Farm No.: 4436 Address: 6664 A Rd  
State: Illinois Tract No.:10128 Valmeyer, IL

This agreement is to stipulate the conditions which must be created and maintained by the person in order to receive good faith/mitigation exemptions which will enable the provision of USDA program benefits to the person.

I hereby agree to the terms set forth below, and understand that any willful action on my part that is not consistent with the stipulated terms that will diminish the value of the restored wetland will result in the loss of the good faith/mitigation exemption and the area will be considered converted wetland (CW + 2012). I agree that the following terms will be installed and maintained in a condition that is to the satisfaction of the Natural Resources Conservation Service (NRCS) and agree to provide the right of access to wetlands involved to USDA personnel to monitor if terms of the agreement are being carried out.

## PART 1 – CHARACTERISTICS OF PROJECT IMPACT

- I. Project Overview: Mr. Dillenger cleared trees from a 0.2 acre wetland in 2012. A final certified wetland determination was completed in February 2013 that determined the area met all wetland criteria.
- II. Project Location: The area is located in the SE ¼ of Section 27, T2S-R11W along Moredock Lake. (See attached map.)
- III. Characterization of Wetland Area Impacted:
  - A. Wetland Classification: PFOIA Palustrine Forested Wetland
  - B. Soils: Karnak overwash, frequently flooded. Matrix colors of 10YR4/2, 10YR5/1, and 2.5Y 5/1 within 12 inches of the soil surface. Yellowish red redox concentrations are present in all horizons from the surface down.
  - C. Vegetation: slough sedge, silver maple and black willow
  - D. Hydrology: water marks, inundation and oxidized roots
  - E. Topography: Low gradient lake shoreline

## Part 2 – CHARACTERIZATION OF RESTORATION SITE

- I. Restoration Site Location: Same as impacted area:
- II. Site Characterization of Existing Physical Conditions:
  - A. Wetland Classification: Same as (Part 1, 3A)
  - B. Soils: Same as previously mentioned (Part 1, IIIB)

- C. Vegetation: Same as previously mentioned (Part 1, IIIC)  
D. Hydrology: Same as previously mentioned (Part 1, IIID)  
E. Topography: Low gradient lake shoreline

III. Restoration Techniques:

A. The restoration/mitigation sites shown on attached map will be planted to Bald Cypress. Refer to the table below and Illinois Job Sheet 612TS for number of trees needed and establishment specifications. For more detailed information see practice standard tree/shrub site preparation 490. Seedlings should be planted at a rate of 218 trees/acre on a 20 foot spacing. A minimum of 150 trees/acre should be living after 2 years to meet NRCS standards and specifications. If there are not 150 trees/acre the site may need to be replanted where the stand is deficient. Do not plant into frozen or extremely dry soil. Begin planting as soon as the ground can be worked in late winter or spring and complete by May 15. Seed source of all plant materials should be within a 200 mile radius of the planting site. The planting will be protected from unacceptable adverse impacts from pests, wildlife, livestock damage, chemicals or fire. After planting, the site will not be sprayed with herbicides, unless to control invasive species such as autumn olive and bush honeysuckle. Mowing is not allowed after planting.

SPECIES	NUMBER OF SEEDLINGS TO PLANT
Bald Cypress	44

B. Re-Vegetation: The site will have some natural re-vegetation occurring from silver maple and black willow.

C. Hydrology:

1. Targeted Hydrologic Regime: surface water, saturation, flooding.
2. Source of Water: precipitation, runoff

This mitigation agreement applies to the 1985 Food Security Act as amended, only. Other Federal, state and local permits may be required. This agreement becomes effective when signed and dated by all parties identified below.

Dillith Funder by Jane Dillith (Pres)  
Name, Owner/Operator

3/15/13  
Date

Wayne Johanning  
Wayne Johanning, District Conservationist

3/15/13  
Date



Illinois  
Monroe  
Report ID: FSA-156EZ

U.S. Department of Agriculture  
Farm Service Agency  
Abbreviated 156 Farm Record

FARM: 4436  
Prepared: 11/29/12 11:26 AM  
Crop Year: 2013  
Page: 1 of 3

Operator Name Farm Identifier Recon Number  
DILLENBERGER FARMS INC dillenbergers 2010 17133 108

Farms Associated with Operator:  
3579

CRP Contract Number(s): None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP	Farm Status	Number of Tracts
918.7	711.4	711.4	0.0	0.0	0.0	0.0	Active	5
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP			FAV/WR History	
0.0	0.0	711.4	143.4	0.0			N	

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
WHEAT	143.3	49	50	0.0	0.0
CORN	250.4	106	154	0.0	0.0
SOYBEANS	461.1	34	41	0.0	0.0
Total Base Acres:	854.8				

Tract Number: 1140 Description: E7 N5

BIA Range Unit Number:

HEL Status: HEL: conservation system is being actively applied

Wetland Status: Tract does not contain a wetland

WL Violations: None

FAV/WR History  
N

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP
2.8	2.8	2.8	0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP		
0.0	0.0	2.8	0.6	0.0		

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
SOYBEANS	3.4	34	41	0.0	0.0
Total Base Acres:	3.4				

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

Other Producers: None

Illinois  
Monroe  
Report ID: FSA-156EZ

U.S. Department of Agriculture  
Farm Service Agency  
Abbreviated 156 Farm Record

FARM: 4436  
Prepared: 11/29/12 11:26 AM  
Crop Year: 2013  
Page: 3 of 3

Tract Number: 10128 Description: C6

FAV/WR  
History

BIA Range Unit Number:

N

HEL Status: Classified as not HEL

Wetland Status: Wetland determinations not complete

WL Violations: None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP
353.0	202.0	202.0	0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP		
0.0	0.0	202.0	40.6	0.0		

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
WHEAT	40.7	49	50	0.0	0.0
CORN	71.1	106	154	0.0	0.0
SOYBEANS	130.8	34	41	0.0	0.0
Total Base Acres:	242.6				

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

Other Producers: BLUFFVIEW FARM INC

Tract Number: 11041 Description: A7

FAV/WR  
History

BIA Range Unit Number:

N

HEL Status: Classified as not HEL

Wetland Status: Tract contains a wetland or farmed wetland

WL Violations: None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP
394.4	367.8	367.8	0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP		
0.0	0.0	367.8	73.1	0.0		

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
WHEAT	73.0	49	50	0.0	0.0
CORN	127.6	106	154	0.0	0.0
SOYBEANS	240.3	34	41	0.0	0.0
Total Base Acres:	440.9				

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST  
SUSIE DILLENBERGER

MARY ANN DILLENBERGER

Other Producers: BLUFFVIEW FARM INC

United States Department of Agriculture



Natural Resources Conservation Service  
Marion Area Office  
502 Comfort Drive, Suite D  
Marion, IL 62959

Ph: (618)993-5396 ext 141 Fax: (618)993-3126  
email: bryan.fitch@il.usda.gov

Date: February 8<sup>th</sup>, 2013

Dillenger Farms  
6664 A Rd.  
Valmeyer, IL 62295

CERTIFIED MAIL

Dear Dillenger Farms;

The Food Security Act of 1985, as amended, requires any person who plants an agricultural commodity on a wetland converted after December 23, 1985, or converts a wetland after November 28, 1990 for the purpose of making production of an agricultural commodity possible, to be determined ineligible for many US Department of Agriculture (USDA) program benefits conditioned upon compliance with provisions set forth in USDA regulation 7 CFR Part 12 §12.4.

On December 18<sup>th</sup>, 2012, the Natural Resources Conservation Service (NRCS) conducted a wetland determination field investigation on Tract Number 10128 in Monroe County, Illinois. Based on the field investigation I made a preliminary technical determination that:

- Field A shown in Section II of the attached NRCS-CPA-026E "HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION" form, contain wetlands and/or wetland violations with the labels/certifications as indicated.
- These areas met, or had met before conversion, wetland criteria of having soils that developed in wetlands, plants that grow in wetlands and soil and/or surface wetness.
- Your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985, as amended. This violation may impact your ability to receive many USDA program benefits if an exemption is not granted.

The preliminary technical determination was provided to you on January 8<sup>th</sup>, 2013 and was based on the findings listed above. The preliminary technical determination provided you a 30 day time period to provide us with additional information upon which to make our determination. The 30 day period was reached on February 8<sup>th</sup>, 2013. There has been no response to our office on the preliminary technical determination. As required by regulation and NRCS policy, I am making the preliminary technical determination a final technical determination.

The final technical determination has been made for the purpose of implementing the wetland conservation provisions of the Food Security Act of 1985. This determination may not be valid for identifying the Army Corps of Engineers' (COE) Clean Water Act jurisdiction for this site. If you intend to conduct any activity that constitutes a discharge of dredged or fill material into wetlands or other waters, you should request a jurisdictional determination from the local office of the COE prior to starting the work.

*Helping People Help the Land*

An Equal Opportunity Provider and Employer





The following are your rights under the USDA Administrative Appeals Process, as provided by the NRCS Appeals Procedures, 7 CFR 614, May 16, 2006, 71 FR28239.

1. Appeal to the Monroe County Farm Service Agency (FSA) County Committee

Monroe County FSA  
140 Williamsburg Lane, Waterloo, IL 62298  
Phone 618-939-6181 ext 2  
Fax 618-939-4647

2. Appeal to the National Appeals Division

USDA National Appeals Division  
P.O. Box 68806  
Indianapolis, Indiana 46268-0806  
Phone: 1-800-541-0457  
(317) 875-9648  
TTY: 1-800-791-3222  
FAX: (317) 875-9674

All requests for appeal on the final technical determination must be made in writing no later than 30 days from the date of the final technical determination.

If you are the owner of tract 10128 and the tract is being farmed by a tenant, I urge you to discuss this letter with your tenant. Likewise, if you are the tenant of tract 10128, I urge you to discuss this letter with your landlord.

Sincerely,

**Bryan Fitch**

Digitally signed by Bryan Fitch.  
DN: cn=Bryan Fitch, o=USDA-  
NRCS, email=bryan.fitch@lusda.gov,  
c=US  
Date: 2013.02.06 10:38:30 -06'00'

Designated Conservationist

Attachment: NRCS-CPA-026E HIGHLY ERODIBLE LAND AND WETLAND  
CONSERVATION DETERMINATION with map

cc: Monroe County Soil & Water Conservation District



United States Department  
of Agriculture

Natural Resources  
Conservation Service

NRCS-CPA-026e  
9/2012

## HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Name	James Dillenberger Dillenberger Farms Inc	Request	County: Monroe
Address:	664 A Rd Valmeyer, IL 62295	Date: 11/29/2012	
Agency or Person Requesting Determination:	FSA 569	Tract No: 10128	FSA Farm No.: 4436

### Section I - Highly Erodible Land

Is a soil survey now available for making a highly erodible land determination?	Yes
Are there highly erodible soil map units on this farm?	

Fields in this section have undergone a determination of whether they are highly erodible land (HEL) or not; fields for which an HEL Determination has not been completed are not listed. In order to be eligible for USDA benefits, a person must be using an approved conservation system on all HEL.

Field(s)	HEL(Y/N)	Sodbust (Y/N)	Acres	Determination Date

The Highly Erodible Land determination was completed in the

### Section II - Wetlands

Fields in this section have had wetland determinations completed. See the Definition of Wetland Label Codes for additional information regarding allowable activities under the wetland conservation provisions of the Food Security Act and/or when wetland determinations are necessary to determine USDA program eligibility.

Field(s)	Wetland Label*	Occurrence Year (CW)	Acres	Determination Date	Certification Date
A	CW	2012	0.2	1/8/2013	2/8/2013

The wetland determination was completed in the Field It was Mailed to the person on 2/8/2013

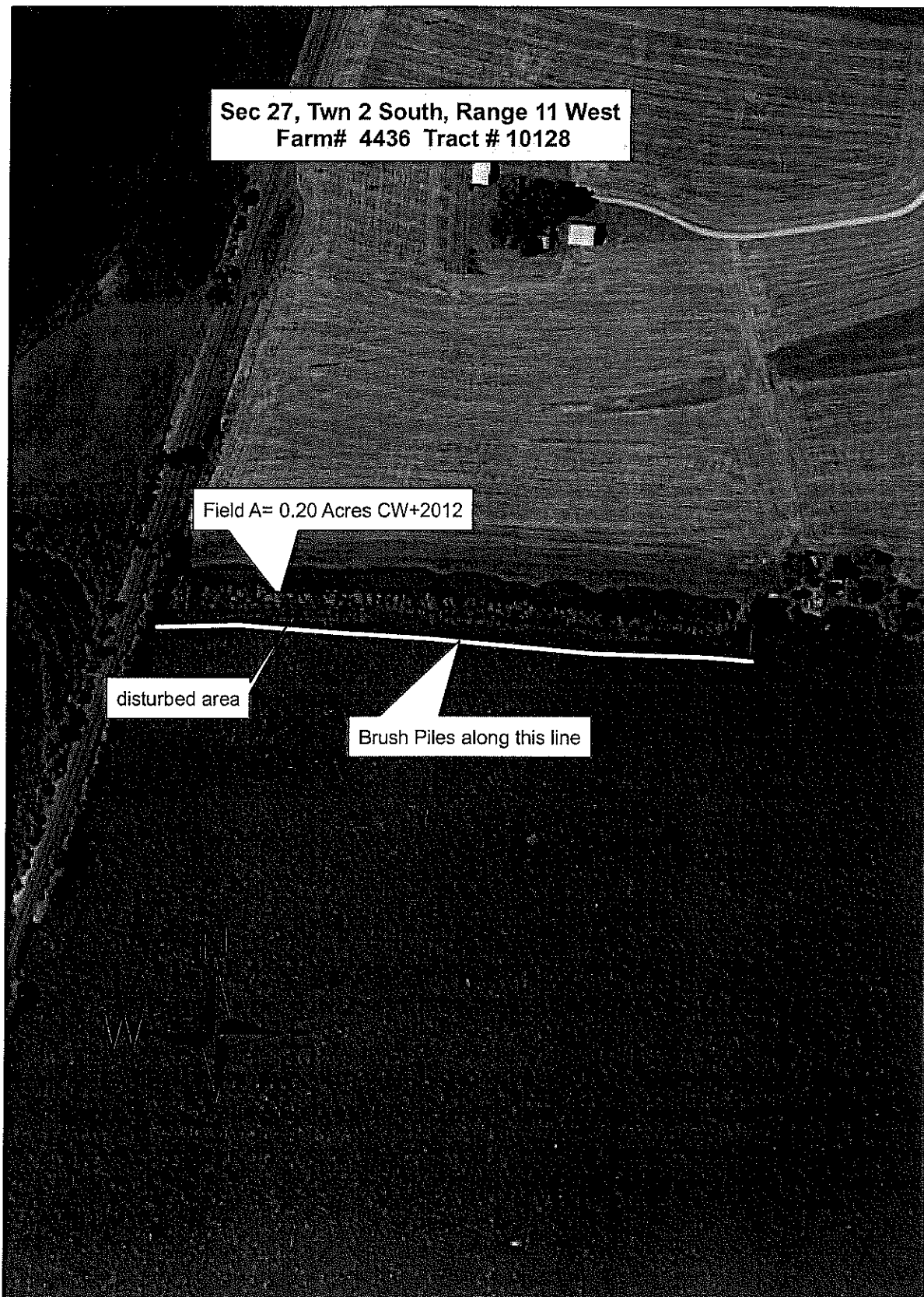
Remarks:

I certify that the above determinations are correct and were conducted in accordance with policies and procedures contained in the National Food Security Act Manual.

Signature Designated Conservationist	Date
Bryan Fitch <small>Digitally signed by Bryan Fitch DN: cn=Bryan Fitch, o=USDA-NRCS, email=bryan.fitch@usda.gov, c=US Date: 2013.02.05 08:02:45 -0600</small>	1/8/13

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

# Dillenberger Wetland Compliance 2010 Photo





United States  
Department of  
Agriculture

Farm Service Agency  
Monroe County FSA  
138 Williamsburg Lane  
Waterloo, IL 62298

March 1, 2013

Dillenberger Farms  
6664 A Rd  
Valmeyer, IL 62295

Dear Jim:

The Food Security Act of 1985, as amended, provides that, unless exempt, persons are ineligible for benefits under certain programs administered by USDA (program applicability is found in FSA's Handbook 6-CP (Rev. 4) paragraph 3 and is enclosed) if they convert a wetland after November 28, 1990, by draining, dredging, filling, leveling, or any other means for the purpose, or to have the effect, of making the production of an agricultural commodity possible. A recent status review completed by the Natural Resources Conservation Service (NRCS) revealed that there is a Wetland Conservation (WC) compliance violation on Farm 4436, Tract 10128, Field A.

In their review, NRCS made a preliminary technical determination on January 8, 2013 that .2 acre(s) on tract 10128 had been cleared and the area was a wetland. The NRCS preliminary technical determination became final on February 8, 2013. The determination revealed that your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985.

According to 6-CP (Rev. 4) subparagraph 601 B, if the action that caused the violation was converting a wetland, then the Farm Service Agency (FSA) is required to deny benefits for the crop or program year that equals the calendar year in which NRCS determines the conversion activity took place, in this case 2012. This denial of benefits continues for all subsequent years until the wetland is restored or mitigated before January 1 of the subsequent crop year(s). This determination of ineligibility applies to you and any persons affiliated with you. To date, according to information on file in this office including your AD-1026 Highly Erodible Land Conservation and Wetland Conservation Certification, identified affiliated producer(s) are Chad Dillenberger, and Jason Siburt.

As a result, you are ineligible to receive all benefits on farm 4436 in addition to any other farms requesting benefits under this producer name. Also, any entity that this producer name is a first level member of may have payments reduced according to your share. The amount to be refunded will be included in a separate letter.

The reviewing authority has taken into consideration all available avenues of relief under specific program procedure in the handbook(s) applicable to the issue(s) under appeal, and the 7-CP handbook (7 CFR § 718). The reviewing authority has examined the record and found no evidence to support relief under the finality rule, misaction/misinformation, and failure to fully comply provisions.

You may appeal this determination to the County Committee by filing a written request no later than 30 calendar days after you receive this notice in accordance with the FSA appeal procedures found at 7 CFR Part 780. If you appeal to the County Committee, you have the right to an informal hearing which you or your representative may attend either personally or by telephone. If you appeal this determination to the County Committee, you may later appeal an adverse determination of the County Committee to the FSA State Committee or the National Appeals Division or request mediation. To appeal, write to the County Committee at the following address and explain why you believe this determination is erroneous.

138 Williamsburg Lane  
Waterloo, IL 62298



The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance programs. (Not all prohibited basis apply to all programs.) Persons with disabilities who require alternative means for communications of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800)-795-3272 (voice) or (202)-720-6382 (TDD). USDA is an equal opportunity provider and employer.

In addition to the above notification of benefit and payment ineligibility and applicable appeal rights, FSA would also like to notify you of good faith relief provisions that may be available for inadvertent violations. Benefit and payment eligibility may be restored if it is determined you acted in good faith as approved by FSA and you agree to implement practices according to a mitigation or restoration plan within an agreed period, not to exceed one year.

If you decide to request a good faith determination, please use Form AD-1069, which has been provided for your convenience, and complete items 7 and 8. As opposed to completing item 7 you may attach a sheet to explain your request. You may also request to meet with the County Committee to provide any information that will assist in their review. If you determine to pursue this option, the completed Form AD-1069 needs to be returned to this office.

Sincerely,

A handwritten signature in cursive script that reads "Linda Mathews".

Linda Mathews  
County Executive Director

cc: Wayne Johanning, NRCS District Conservationist  
Ray Gvillo, District Director



United States  
Department of  
Agriculture

Farm Service Agency  
Monroe County FSA  
138 Williamsburg Lane  
Waterloo, IL 62298

March 1, 2013

James & Susie Dillenger Rev. Tr  
6664 A Rd  
Valmeyer, IL 62295

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You may appeal this determination to the County Committee by filing a written request no later than 30 calendar days after you receive this notice in accordance with the FSA appeal procedures found at 7 CFR Part 780. If you appeal to the County Committee, you have the right to an informal hearing which you or your representative may attend either personally or by telephone. If you appeal this determination to the County Committee, you may later appeal an adverse determination of the County Committee to the FSA State Committee or the National Appeals Division or request mediation. To appeal, write to the County Committee at the following address and explain why you believe this determination is erroneous.

138 Williamsburg Lane  
Waterloo, IL 62298

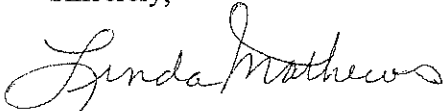
The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance programs. (Not all prohibited basis apply to all programs.) Persons with disabilities who require alternative means for communications of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD).

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In addition to the above notification of benefit and payment ineligibility and applicable appeal rights, FSA would also like to notify you of good faith relief provisions that may be available for inadvertent violations. Benefit and payment eligibility may be restored if it is determined you acted in good faith as approved by FSA and you agree to implement practices according to a mitigation or restoration plan within an agreed period, not to exceed one year.

If you decide to request a good faith determination, please use Form AD-1069, which has been provided for your convenience, and complete items 7 and 8. As opposed to completing item 7 you may attach a sheet to explain your request. You may also request to meet with the County Committee to provide any information that will assist in their review. If you determine to pursue this option, the completed Form AD-1069 needs to be returned to this office.

Sincerely,

A handwritten signature in cursive script that reads "Linda Mathews".

Linda Mathews  
County Executive Director

cc: Wayne Johanning, NRCS District Conservationist  
Ray Gvillo, District Director



United States  
Department of  
Agriculture

Farm Service Agency  
Monroe County FSA  
138 Williamsburg Lane  
Waterloo, IL 62298

March 1, 2013

Jason Siburt  
3079 State Route 156  
Waterloo, IL 62298

Dear Jason:

The Food Security Act of 1985, as amended, provides that, unless exempt, persons are ineligible for benefits under certain programs administered by USDA (program applicability is found in FSA's Handbook 6-CP (Rev. 4) paragraph 3 and is enclosed) if they convert a wetland after November 28, 1990, by draining, dredging, filling, leveling, or any other means for the purpose, or to have the effect, of making the production of an agricultural commodity possible. A recent status review completed by the Natural Resources Conservation Service (NRCS) revealed that there is a Wetland Conservation (WC) compliance violation on Farm 4436, Tract 10128, Field A.

In their review, NRCS made a preliminary technical determination on January 8, 2013 that .2 acre(s) on tract 10128 had been cleared and the area was a wetland. The NRCS preliminary technical determination became final on February 8, 2013. The determination revealed that your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985.

According to 6-CP (Rev. 4) subparagraph 601 B, if the action that caused the violation was converting a wetland, then the Farm Service Agency (FSA) is required to deny benefits for the crop or program year that equals the calendar year in which NRCS determines the conversion activity took place, in this case 2012. This denial of benefits continues for all subsequent years until the wetland is restored or mitigated before January 1 of the subsequent crop year(s).

Furthermore, according to Handbook 6-CP (Rev. 4) subparagraphs 602 E and F and paragraph 302, a producer determined to be an 'affiliated person' of the producer/entity determined to be in violation is also affected due to the affiliated relationship. A copy of the policy is enclosed. As such, this determination of ineligibility applies to you as an affiliate of Dillenberger Farms. Because of this affiliated relationship, other options to review potential restoration of benefits to you may exist in addition to those outlined below; feel free to contact me for additional review as these actions are determined on a case-by-case basis.

As a result, you are ineligible to receive all benefits on farm 4436 in addition to any other farms requesting benefits under this producer name. Also, any entity that this producer name is a first level member of may have payments reduced according to your share. The amount to be refunded will be included in a separate letter.

The reviewing authority has taken into consideration all available avenues of relief under specific program procedure in the handbook(s) applicable to the issue(s) under appeal, and the 7-CP handbook (7 CFR § 718). The reviewing authority has examined the record and found no evidence to support relief under the finality rule, misaction/misinformation, and failure to fully comply provisions.

You may appeal this determination to the County Committee by filing a written request no later than 30 calendar days after you receive this notice in accordance with the FSA appeal procedures found at 7 CFR Part 780. If you appeal to the County Committee, you have the right to an informal hearing which you or your representative may attend either personally or by telephone. If you appeal this determination to the County Committee, you may later appeal an adverse determination of the County Committee to the FSA State Committee or the National Appeals Division or request mediation. To appeal, write to the County Committee at the following address and explain why you believe this determination is erroneous.



138 Williamsburg Lane  
Waterloo, IL 62298

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In addition to the above notification of benefit and payment ineligibility and applicable appeal rights, FSA would also like to notify you of good faith relief provisions that may be available for inadvertent violations. Benefit and payment eligibility may be restored if it is determined you acted in good faith as approved by FSA and you agree to implement practices according to a mitigation or restoration plan within an agreed period, not to exceed one year.

If you decide to request a good faith determination, please use Form AD-1069, which has been provided for your convenience, and complete items 7 and 8. As opposed to completing item 7 you may attach a sheet to explain your request. You may also request to meet with the County Committee to provide any information that will assist in their review. If you determine to pursue this option, the completed Form AD-1069 needs to be returned to this office.

Sincerely,



Linda Mathews  
County Executive Director

cc: Wayne Johanning, NRCS District Conservationist  
Ray Gvillo, District Director

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United States  
Department of  
Agriculture

Farm Service Agency  
Monroe County FSA  
138 Williamsburg Lane  
Waterloo, IL 62298

March 1, 2013

Chad Dillenberger  
6664 A Rd  
Valmeyer, IL 62295

Dear Chad:

The Food Security Act of 1985, as amended, provides that, unless exempt, persons are ineligible for benefits under certain programs administered by USDA (program applicability is found in FSA's Handbook 6-CP (Rev. 4) paragraph 3 and is enclosed) if they convert a wetland after November 28, 1990, by draining, dredging, filling, leveling, or any other means for the purpose, or to have the effect, of making the production of an agricultural commodity possible. A recent status review completed by the Natural Resources Conservation Service (NRCS) revealed that there is a Wetland Conservation (WC) compliance violation on Farm 4436, Tract 10128, Field A.

In their review, NRCS made a preliminary technical determination on January 8, 2013 that .2 acre(s) on tract 10128 had been cleared and the area was a wetland. The NRCS preliminary technical determination became final on February 8, 2013. The determination revealed that your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985.

According to 6-CP (Rev. 4) subparagraph 601 B, if the action that caused the violation was converting a wetland, then the Farm Service Agency (FSA) is required to deny benefits for the crop or program year that equals the calendar year in which NRCS determines the conversion activity took place, in this case 2012. This denial of benefits continues for all subsequent years until the wetland is restored or mitigated before January 1 of the subsequent crop year(s).

Furthermore, according to Handbook 6-CP (Rev. 4) subparagraphs 602 E and F and paragraph 302, a producer determined to be an 'affiliated person' of the producer/entity determined to be in violation is also affected due to the affiliated relationship. A copy of the policy is enclosed. As such, this determination of ineligibility applies to you as an affiliate of Dillenberger Farms. Because of this affiliated relationship, other options to review potential restoration of benefits to you may exist in addition to those outlined below; feel free to contact me for additional review as these actions are determined on a case-by-case basis.

As a result, you are ineligible to receive all benefits on farm 4436 in addition to any other farms requesting benefits under this producer name. Also, any entity that this producer name is a first level member of may have payments reduced according to your share. The amount to be refunded will be included in a separate letter.

The reviewing authority has taken into consideration all available avenues of relief under specific program procedure in the handbook(s) applicable to the issue(s) under appeal, and the 7-CP handbook (7 CFR § 718). The reviewing authority has examined the record and found no evidence to support relief under the finality rule, misaction/misinformation, and failure to fully comply provisions.

You may appeal this determination to the County Committee by filing a written request no later than 30 calendar days after you receive this notice in accordance with the FSA appeal procedures found at 7 CFR Part 780. If you appeal to the County Committee, you have the right to an informal hearing which you or your representative may attend either personally or by telephone. If you appeal this determination to the County Committee, you may later appeal an adverse determination of the County Committee to the FSA State Committee or the National Appeals Division or request mediation. To appeal, write to the County Committee at the following address and explain why you believe this determination is erroneous.

138 Williamsburg Lane  
Waterloo, IL 62298

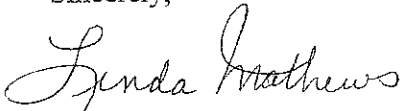
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Sincerely,



Linda Mathews  
County Executive Director

cc: Wayne Johanning, NRCS District Conservationist  
Ray Gvillo, District Director

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cc: Name, NRCS District Conservationist  
DD Name

In the event a producer files a good faith relief request for the HELC/WC violation and the COC wants to approve, Handbook 6-CP paragraphs 631 and 632 require SED approval with technical concurrence by the NRCS State Conservationist. To assist in this review process, submit the following items (copies only). Do not staple documents (if mailed), put in chronological order (with most recent on top), no front/back- front only for additional copying, preference is to scan in the file and email.

Short cover memo to SED sent to attention of CEPD- Donald or Jamie.

applicable COC minutes

completed AD-1068/1069 and request for good faith from producer if separate from AD-1068/1069

FSA's noncompliance letter notification to producer

FSA-569

NRCS final determination letter

NRCS status review documentation, work sheets, notes, CPO the producer was found in violation of (if there was one and may not be one for WC), etc. according to 6-CP par. 716E

AD-1026 and 1026A/Producer Farm Data Report

156-EZ for the farm

map of the acreage in violation

\*any other info you feel may be needed to help substantiate good faith determination

*after good faith update flags in farm records  
+ eligibility records*



DATE 3/1/13

SUBJECT: Dillenberger Lms

BY: Linda PER: Don King - par 302, 602

ACTION: Dillenberger Lms - Ineligible } need 1069  
James Dillenberger Co - Ineligible need 1069  
Chad Dillenberger } need 1069  
Jason Sibert } affiliates & ineligible - need 1069  
Bluffview Lms - no affiliation  
Golden Harvest w/ Chad & Jason - no affiliation

A 1069 must be completed by the  
first 4 producers listed above

## **Mathews, Linda - FSA, Waterloo, IL**

---

**From:** King, Don - FSA, Springfield, IL  
**Sent:** Monday, February 25, 2013 10:52 AM  
**To:** Mathews, Linda - FSA, Waterloo, IL; Diebal, Jamie - FSA, Springfield, IL; Hedge, Connie - FSA, Springfield, IL; Riggins, Gail - FSA, Springfield, IL  
**Cc:** Schwarze, Lisa - FSA, Waterloo, IL; Gvillo, Ray - FSA, Edwardsville, IL  
**Subject:** Monroe- Dillenger WC Violation Letters for Review 2-25-13  
**Attachments:** Dillenger Farms Affiliated Persons WC Violation Letter-Chad Dillenger revised 2-26-13.docx; Dillenger Farms Affiliated Persons WC Violation Letter- Jim Dillenger Tr revised 2-25-13 .docx; Dillenger Farms Affiliated Persons WC Violation Letter-Jason Dillenger revised 2-25-13.docx; Dillenger Farms WC Violation Letter revised 2-25-13.docx

Linda,

The main Dillenger Farms letter is good to go from the Conservation and Environmental Programs Division side once you add in the year in paragraph 2 if the appeal info is/has been o.k.'ed and please insure eligibility flags are properly updated.

For the affiliates, I deleted out part of paragraph 3 that you added in. i.e. inserting that indicates they are ineligible according to 6-CP paragraph 602B as opposed to par. 602E. Take a look at that and give me a call if you want; otherwise, if they truly are affiliates when you look at par. 302, then the revised letters are good to go (again put in the year in par. 2 of the letter) once the appeal info is o.k.'ed. But if they are ineligible based on par. 602B then you'll need to revise them to show they are not affiliated persons but a first level person.

Thanks, Don

---

**From:** Mathews, Linda - FSA, Waterloo, IL  
**Sent:** Wednesday, February 20, 2013 1:34 PM  
**To:** King, Don - FSA, Springfield, IL; Diebal, Jamie - FSA, Springfield, IL; Hedge, Connie - FSA, Springfield, IL; Riggins, Gail - FSA, Springfield, IL  
**Cc:** Schwarze, Lisa - FSA, Waterloo, IL  
**Subject:** WC Violation Letters for Review

Please review and make any necessary corrections.

Sincerely,

*Linda Mathews*

Linda Mathews  
County Executive Director  
Monroe County FSA Office  
138 Williamsburg Lane  
Waterloo, IL 62298  
Phone: (618) 939-6181 ext. 102  
Fax: (618) 939-4647  
Email: [linda.mathews@il.usda.gov](mailto:linda.mathews@il.usda.gov)

***Falling down is part of life, but getting back up is living!***

DATE: \_\_\_\_\_

SUBJECT: F 4436, T 10128 Converted Wetland

BY: \_\_\_\_\_ PER: \_\_\_\_\_

ACTION: 1) On the tract under isolation the following is listed?

OP Dellenberger Farms - all land

OT Bluffview Farms Inc. - No land

OW Jim + Susie Dellenberger Trust - no land

Who will be ineligible and on what this tract  
or All land?

2) Dellenberger Farms is made up of

Jim + Susie Dellenberger Trust

David Silvest

Chad Dellenberger

Will they also be ineligible for all entities

They are associated with (Golden Harvest)?

NO

3) Subparagraph 601 B states that if restoration

or mitigation is completed by Jan 1st eligibility  
would be restored for that year.

Examples completed 1/1/13 - Benefits regained  
8/1/13



DATE: \_\_\_\_\_

SUBJECT: \_\_\_\_\_

BY: \_\_\_\_\_ PER: \_\_\_\_\_

ACTION: 3) continued

Can good faith be granted and no  
benefits lost per subparagraph 610 A? YES

for all producers? YES

Will benefits be lost for 2012 no matter  
what? NO only if no good faith

**Producer Farm Data Report**  
**Crop Year: 2013**

**Date:** 2/20/13 9:31 AM  
**Page:** 1

Producer Name and Address

Recording County Office Name

DILLENBERGER FARMS INC  
 6664 A RD  
 VALMEYER IL 62295-1538

Monroe, Illinois

Telephone: 5 U.S.C. § 552(b)(6)

Number of Farms	Number of Tracts	Farmland	Cropland	DCP Cropland	CRP Cropland	Eff DCP Cropland					
2	7	1220.0	903.0	903.0	0.0	903.0					
State & County	Farm	Tract	Relationship to Farm Tract	Producer	Farmland	Cropland	DCP Cropland	CRP Cropland	Eff DCP Cropland	HEL Code	Wetland Code
Monroe, IL	3579	9320	Operator	DILLENBERGER FARMS INC	196.1	90.6	90.6	0.0	90.6	N	DNC
			Owner	ROBERT HEAVNER							
		10756	Operator	DILLENBERGER FARMS INC	105.2	101.0	101.0	0.0	101.0	N	DNC
			Owner	ROBERT HEAVNER							
Monroe, IL	4436	1140	Owner	JAMES F & SUSAN H DILLENBERGER	2.8	2.8	2.8	0.0	2.8	SA	N
		9366	Owner/Operator	DILLENBERGER FARMS INC	74.7	53.0	53.0	0.0	53.0	N	WL
			Other Tenant	BLUFFVIEW FARM INC							
		9840	Owner	JAMES F & SUSAN H DILLENBERGER	93.8	85.8	85.8	0.0	85.8	SA	DNC
			Owner	MARY ANN DILLENBERGER							
		10128	Owner	JAMES F & SUSAN H DILLENBERGER	353.0	202.0	202.0	0.0	202.0	N	DNC
			Other Tenant	BLUFFVIEW FARM INC							
		11041	Owner	JAMES F & SUSAN H DILLENBERGER	394.4	367.8	367.8	0.0	367.8	N	WL
			Owner	MARY ANN DILLENBERGER							
			Owner	SUSIE DILLENBERGER							
			Other Tenant	BLUFFVIEW FARM INC							

<b>HEL Codes</b>	SA = HEL: Sys Applied SNA = HEL: Sys Not Applied	SNR = HEL: Sys Not Required 2YR = HEL: 2-yr Implement	DNC = Determination Not Complete N = Not HEL	<b>Wetland Codes</b>	WL = Wetland N = No Wetland	DNC = Determination Not Complete
------------------	---	--	---	----------------------	--------------------------------	----------------------------------

**Producer Farm Data Report****Crop Year:** 2013**Date:** 2/20/13 9:31 AM**Page:** 1

## Producer Name and Address

JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST  
6664 A RD  
VALMEYER IL 62295-1538

## Recording County Office Name

Monroe, Illinois

Telephone: 5 U.S.C. § 552(b)(6)

Number of Farms		Number of Tracts		Farmland	Cropland	DCP Cropland	CRP Cropland	Eff DCP Cropland				
1		4		844.0	658.4	658.4	0.0	658.4				
				Relationship to Farm Tract								
State & County	Farm	Tract		Producer	Farmland	Cropland	DCP Cropland	CRP Cropland	Eff DCP Cropland	HEL Code	Wetland Code	
Monroe, IL	4436	1140	Owner	JAMES F & SUSAN H DILLENBERGER	2.8	2.8	2.8	0.0	2.8	SA	N	
		9840	Owner	JAMES F & SUSAN H DILLENBERGER	93.8	85.8	85.8	0.0	85.8	SA	DNC	
			Owner	MARY ANN DILLENBERGER								
		10128	Owner	JAMES F & SUSAN H DILLENBERGER	353.0	202.0	202.0	0.0	202.0	N	DNC	
			Other Tenant	BLUFFVIEW FARM INC								
	11041		Owner	JAMES F & SUSAN H DILLENBERGER	394.4	367.8	367.8	0.0	367.8	N	WL	
				Owner	MARY ANN DILLENBERGER							
				Owner	SUSIE DILLENBERGER							
		Other Tenant	BLUFFVIEW FARM INC									

**HEL Codes**SA = HEL: Sys Applied  
SNA = HEL: Sys Not AppliedSNR = HEL: Sys Not Required  
2YR = HEL: 2-yr ImplementDNC = Determination Not Complete  
N = Not HEL**Wetland Codes**WL = Wetland  
N = No Wetland

DNC = Determination Not Complete



United States Department of Agriculture

Farm Service Agency

**Farm Records**  
Management System**Links**

Farm Records Links

Homepage

Farm Data  
ManagementReconstitutions  
Farm

Tract

Reports

Manual Download

Logout of eAuth

Exit FRS

**Confirm Customer Selection**STATE  
ILCOUNTY  
MonroeYEAR  
2013FARM  
Not selectedTRACT  
Not selected

Customer selected in SCIMS is not associated with any farms.

You have selected the following customer:

**Name:** JASON ALLEN SIBURT**Tax ID:** XXXX**Tax ID Type:** Social Security**Primary Address:** 3079 STATE ROUTE 156  
WATERLOO, IL 62298-6303**Telephone:** 6189397416

Select Again

Cancel

FRSFmDataMgmt055





United States Department of Agriculture

Farm Service Agency

**Farm Records**  
Management System**Links**

Farm Records Links

Homepage

Farm Data  
ManagementReconstitutions  
Farm

Tract

Reports

Manual Download

Logout of eAuth

Exit FRS

**Confirm Customer Selection**

STATE	COUNTY	YEAR	FARM	TRACT
IL	Monroe	2013	Not selected	Not selected

Customer selected in SCIMS is not associated with any farms.

You have selected the following customer:

**Name:** CHAD J DILLENBERGER  
**Tax ID:** USC  
**Tax ID Type:** Social Security  
**Primary Address:** 6664 A RD  
VALMEYER, IL 62295-1538  
**Telephone:** 6189801283

Select Again

Cancel

FRSFmDataMgmt055

Illinois  
Monroe  
Report ID: FSA-156EZ

U.S. Department of Agriculture  
Farm Service Agency  
Abbreviated 156 Farm Record

FARM: 4436  
Prepared: 2/20/13 9:26 AM  
Crop Year: 2013  
Page: 1 of 3

Operator Name Farm Identifier Recon Number  
DILLENBERGER FARMS INC dillenbergers 2010 17133 108

Farms Associated with Operator:  
3579

CRP Contract Number(s): None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP	Farm Status	Number of Tracts
918.7	711.4	711.4	0.0	0.0	0.0	0.0	Active	5
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP			FAV/WR History	ACRE Contract
0.0	0.0	711.4	143.4	0.0			N	None

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
WHEAT	143.3	49	50	0.0	0.0
CORN	250.4	106	154	0.0	0.0
SOYBEANS	461.1	34	41	0.0	0.0
Total Base Acres:	854.8				

Tract Number: 1140 Description: E7 N5

BIA Range Unit Number:

HEL Status: HEL: conservation system is being actively applied

Wetland Status: Tract does not contain a wetland

WL Violations: None

FAV/WR History  
N

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP
2.8	2.8	2.8	0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP		
0.0	0.0	2.8	0.6	0.0		

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
SOYBEANS	3.4	34	41	0.0	0.0
Total Base Acres:	3.4				

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

Other Producers: None

Illinois  
Monroe  
Report ID: FSA-156EZ

U.S. Department of Agriculture  
Farm Service Agency  
Abbreviated 156 Farm Record

FARM: 4436  
Prepared: 2/20/13 9:26 AM  
Crop Year: 2013  
Page: 2 of 3

Tract Number: 9366 Description: D6 Section 26

FAV/WR  
History  
N

BIA Range Unit Number:

HEL Status: NHEL: no agricultural commodity planted on undetermined fields

Wetland Status: Tract contains a wetland or farmed wetland

WL Violations: None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP
74.7	53.0	53.0	0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP		
0.0	0.0	53.0	11.8	0.0		

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
WHEAT	11.8	49	50	0.0	0.0
CORN	20.6	106	154	0.0	0.0
SOYBEANS	32.4	34	41	0.0	0.0
Total Base Acres:	64.8				

Owners: DILLENBERGER FARMS INC

Other Producers: BLUFFVIEW FARM INC

Tract Number: 9840 Description: E7

FAV/WR  
History  
N

BIA Range Unit Number:

HEL Status: HEL: conservation system is being actively applied

Wetland Status: Wetland determinations not complete

WL Violations: None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP
93.8	85.8	85.8	0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP		
0.0	0.0	85.8	17.3	0.0		

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
WHEAT	17.8	49	50	0.0	0.0
CORN	31.1	106	154	0.0	0.0
SOYBEANS	54.2	34	41	0.0	0.0
Total Base Acres:	103.1				

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

MARY ANN DILLENBERGER

Other Producers: None

Illinois  
Monroe  
Report ID: FSA-156EZ

U.S. Department of Agriculture  
Farm Service Agency  
Abbreviated 156 Farm Record

FARM: 4436  
Prepared: 2/20/13 9:26 AM  
Crop Year: 2013  
Page: 3 of 3

Tract Number: 10128 Description: C6

FAV/WR  
History  
N

BIA Range Unit Number:

HEL Status: NHEL: no agricultural commodity planted on undetermined fields

Wetland Status: Wetland determinations not complete

WL Violations: None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP
353.0	202.0	202.0	0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP		
0.0	0.0	202.0	40.6	0.0		

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
WHEAT	40.7	49	50	0.0	0.0
CORN	71.1	106	154	0.0	0.0
SOYBEANS	130.8	34	41	0.0	0.0
Total Base Acres:	242.6				

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

Other Producers: BLUFFVIEW FARM INC

Tract Number: 11041 Description: A7

FAV/WR  
History  
N

BIA Range Unit Number:

HEL Status: NHEL: no agricultural commodity planted on undetermined fields

Wetland Status: Tract contains a wetland or farmed wetland

WL Violations: None

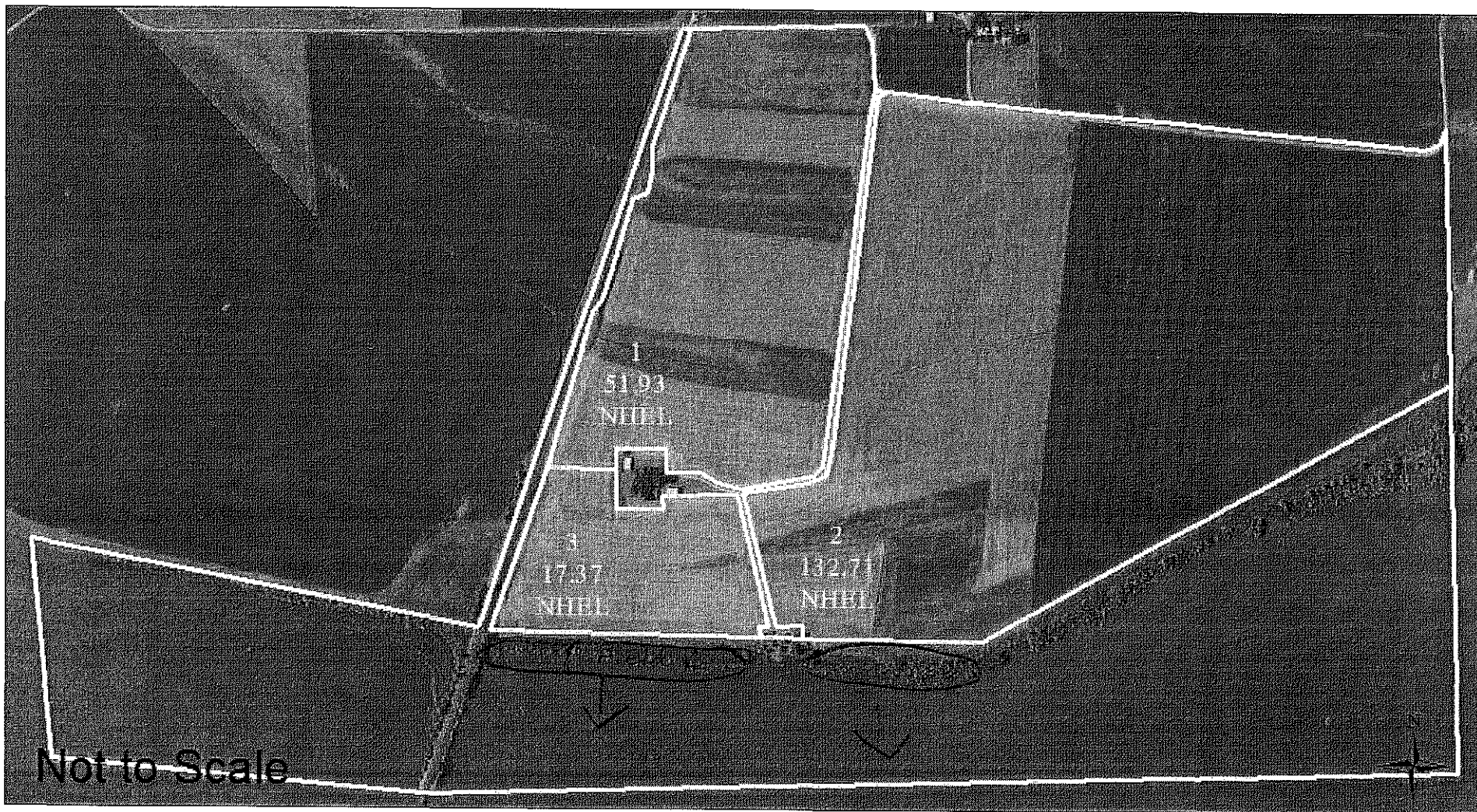
Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP
394.4	367.8	367.8	0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP		
0.0	0.0	367.8	73.1	0.0		

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
WHEAT	73.0	49	50	0.0	0.0
CORN	127.6	106	154	0.0	0.0
SOYBEANS	240.3	34	41	0.0	0.0
Total Base Acres:	440.9				

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST  
SUSIE DILLENBERGER

MARY ANN DILLENBERGER

Other Producers: BLUFFVIEW FARM INC



United States Department of Agriculture  
Farm Service Agency

February 09, 2011

## Monroe County, IL

Farm: 4436  
Tract: 10128

fsa\_gis\_layers.SDE.wet\_p\_il133  
Wetland Determination Identifiers

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-028 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.



## Schwarze, Lisa - FSA, Waterloo, IL

---

**From:** Schwarze, Lisa - FSA, Waterloo, IL  
**Sent:** Tuesday, May 14, 2013 2:45 PM  
**To:** Martin, Kimberly - FSA, Springfield, IL; Diebal, Jamie - FSA, Springfield, IL  
**Cc:** Mathews, Linda - FSA, Waterloo, IL  
**Subject:** FSA-493  
**Attachments:** 20130514142950058.pdf

Kim,

I have attached FSA-493's for the wetland violation we had here in Monroe County. Please let me know if you need anything else from us.

Thanks

Lisa Schwarze  
Monroe County Program Technician  
Tel: 618 939 6181 x104  
Fax: 618 939 4647

-----Original Message-----

**From:** Lisa [<mailto:Lisa.Schwarze@il.usda.gov>]  
**Sent:** Tuesday, May 14, 2013 2:30 PM  
**To:** Schwarze, Lisa - FSA, Waterloo, IL  
**Subject:** Message from "RICOHG3001N01"

This E-mail was sent from "RICOHG3001N01" (Aficio MP C3001).

Scan Date: 05.14.2013 14:29:49 (-0500)  
Queries to: [do\\_not\\_reply@il.usda.gov](mailto:do_not_reply@il.usda.gov)

scan from Ricoh

This form is available electronically.

<b>FSA-493</b> (02-06-12)	<b>U.S. DEPARTMENT OF AGRICULTURE</b> Farm Service Agency	1. Check if Farm Payment and Exemption Data on Prior Report  YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
<b>HIGHLY ERODIBLE LAND CONSERVATION/WETLAND CONSERVATION VIOLATION DATA</b> (WORKSHEET)		

<b>PART A - FSA-569 DATA</b> (Copy data from corresponding FSA-569)									
2. Control Number	3. Crop Year	4. FSA Administrative County:	5. NRCS FIPS State & County Code (Enter if different from Item 4)	6. Farm Number	7. Tract Number	8. Acres	9. Type of Violation (Check one):		
1	2012	A. State Name	Code	17-133	4436	10128	0.2	A. HELC	<input type="checkbox"/>
		B. County Name	Code					B. Planting on CW	<input type="checkbox"/>
			133					C. Wetland Conversion after 11/28/90	<input checked="" type="checkbox"/>

<b>PART B - PRODUCER DATA</b> (FSA-493 must be completed for each producer associated as OW, OP, OO, or OT on farm listed in Part A and their affiliates. FSA-493 must be completed for each County in which they have an interest.)					
10. Producer's Name	11. Tax ID Number (Last 4 Digits)	12. ID Type:	13. AD-1026 Filed?	14. GPR Approved \$	15. State Name & Code
Dillenberger Farms Inc	95509	S <input type="checkbox"/> E <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Note: GPR amount shall be entered from AD-1068 only for County listed in Part A. Other counties leave blank.	Illinois - 17
					16. County Name & Code
					Monroe - 133

<b>PART C - FARM PAYMENT AND EXEMPTION DATA</b> (If Part C for the producer and county listed above was completed on another FSA-493 for the crop year, do not complete Part C again. Attach this FSA-493 to a photocopy of the previous FSA-493 report that has Part C completed for the producer.)
--

<b>1. PROGRAMS - FARM SPECIFIC:</b>								<b>PART D - REASON CODES</b>	
A. Program	B. Farm No.	C. Cropland Acres	D. Status (OO, OP, OW, OT)	E. Requested Benefits (\$)	F. Reinstated Benefits (\$)	G. Reason Code (See Part D)	H. Exemption Approval Level (Code & Date) (See Part E)	Code	Description
2012 Direct Payments	3579	191.6	OP	2,688.00	2,688.00	7	S - 5/9/2013	1	AD-1025B Tenant Exemption
2012 Average Crop Revenue Elections	4436	711.4	OP	11,024.00	11,024.00	7	S - 5/9/2013	2	AD-1025C Landlord Exemption
								3	AD-1068 HELC
								4	AD-1069 WC
								5	NRCS Reversed
								6	Misaction/Misinformation
								7	Other: (Enter in Part C, Item 3)

<b>2. PROGRAMS - NOT FARM SPECIFIC:</b>					<b>PART E - EXEMPTION APPROVAL LEVEL</b>	
A. Program	B. Requested Benefits (\$)	C. Reinstated Benefits (\$)	D. Reason Code (See Part D)	E. Exemption Approval Level (Code & Date) (See Part E)	Code	Description
					C	County
					S	State
					N	National
					J	Judicial Court

3. Description of Code 7 entries in Item 1G or Item 2D: Cleared converted wetland after 11/28/1990			
4A. Preparer's Signature 	4B. Title of Preparer PT	4C. Name and Location of Office 138 Williamsburg Monroe County - Waterloo, IA 52298	4D. Date Signed 05-14-2013

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs,

This form is available electronically.


<b>FSA-493</b> (02-06-12)	<b>U.S. DEPARTMENT OF AGRICULTURE</b> Farm Service Agency	1. Check if Farm Payment and Exemption Data on Prior Report  YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
<b>HIGHLY ERODIBLE LAND CONSERVATION/WETLAND CONSERVATION VIOLATION DATA</b> (WORKSHEET)		

<b>PART A - FSA-569 DATA</b> (Copy data from corresponding FSA-569)								
2. Control Number	3. Crop Year	4. FSA Administrative County:		5. NRCS FIPS State & County Code (Enter if different from Item 4)	6. Farm Number	7. Tract Number	8. Acres	9. Type of Violation (Check one):
1	2012	A. State Name		Code	4436	10128	0.2	A. HELC
		Illinois		17				B. Planting on CW
		B. County Name		Code				C. Wetland Conversion after 11/28/90
				133				<input checked="" type="checkbox"/>

<b>PART B - PRODUCER DATA</b> (FSA-493 must be completed for each producer associated as OW, OP, OO, or OT on farm listed in Part A and their affiliates. FSA-493 must be completed for each County in which they have an interest.)						
10. Producer's Name	11. Tax ID Number (Last 4 Digits)	12. ID Type:	13. AD-1026 Filed?	14. GPR Approved \$	15. State Name & Code	16. County Name & Code
James & Susan Dillenberger Revocable Trust	00000000	S <input checked="" type="checkbox"/> E <input type="checkbox"/>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Note: GPR amount shall be entered from AD-1068 only for County listed in Part A. Other counties leave blank.	Illinois - 17	Monroe - 133

**PART C - FARM PAYMENT AND EXEMPTION DATA** (If Part C for the producer and county listed above was completed on another FSA-493 for the crop year, do not complete Part C again. Attach this FSA-493 to a photocopy of the previous FSA-493 report that has Part C completed for the producer.)

<b>1. PROGRAMS - FARM SPECIFIC:</b>								<b>PART D - REASON CODES</b>	
A. Program	B. Farm No.	C. Cropland Acres	D. Status (OO, OP, OW, OT)	E. Requested Benefits (\$)	F. Reinstated Benefits (\$)	G. Reason Code (See Part D)	H. Exemption Approval Level (Code & Date) (See Part E)		
2012 Direct Payments	3579	191.6	OF	2,688.00	2,688.00	7	S - 5/9/2013	1 AD-1026B Tenant Exemption	
2012 Average Crop Revenue Elections	4436	711.4	OF	11,024.00	11,024.00	7	S - 5/9/2013	2 AD-1026C Landlord Exemption	
								3 AD-1068 HELC	
								4 AD-1068 WC	
								5 NRCS Reversed	
								6 Misaction/Misinformation	
								7 Other (Enter in Part C, Item 3)	
<b>2. PROGRAMS - NOT FARM SPECIFIC:</b>								<b>PART E - EXEMPTION APPROVAL LEVEL</b>	
A. Program				B. Requested Benefits (\$)	C. Reinstated Benefits (\$)	D. Reason Code (See Part D)	E. Exemption Approval Level (Code & Date) (See Part E)		
								C County	
								S State	
								N National	
								J Judicial Court	

3. Description of Code 7 entries in Item 1G or Item 2D: Cleared converted wetland after 11/28/1990			
4A. Preparer's Signature	4B. Title of Preparer	4C. Name and Location of Office	4D. Date Signed
	PT	138 Williamsburg Ln Monroe County - Waterloo, IL 62298	05-14-2013

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs,

This form is available electronically.

<b>FSA-493</b> (02-06-12)	<b>U.S. DEPARTMENT OF AGRICULTURE</b> Farm Service Agency	1. Check if Farm Payment and Exemption Data on Prior Report  YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
<b>HIGHLY ERODIBLE LAND CONSERVATION/WETLAND CONSERVATION VIOLATION DATA</b> (WORKSHEET)		

<b>PART A - FSA-569 DATA</b> (Copy data from corresponding FSA-569)								
2. Control Number	3. Crop Year	4. FSA Administrative County:		5. NRCS FIPS State & County Code (Enter if different from Item 4)	6. Farm Number	7. Tract Number	8. Acres	9. Type of Violation (Check one):
1	2012	A. State Name	Code	17-133	4436	10128	0.2	A. HELC
		B. County Name	Code					B. Planting on CW
			133					C. Wetland Conversion after 11/28/90
								<input checked="" type="checkbox"/>

<b>PART B - PRODUCER DATA</b> (FSA-493 must be completed for each producer associated as OW, OP, OO, or OT on farm listed in Part A and their affiliates. FSA-493 must be completed for each County in which they have an interest.)						
10. Producer's Name	11. Tax ID Number (Last 4 Digits)	12. ID Type:	13. AD-1026 Filed?	14. GPR Approved \$	15. State Name & Code	16. County Name & Code
Chad Dillenberger		S <input checked="" type="checkbox"/> E <input type="checkbox"/>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Note: GPR amount shall be entered from AD-1068 only for County listed in Part A. Other counties leave blank.	Illinois - 17	Monroe - 133

<b>PART C - FARM PAYMENT AND EXEMPTION DATA</b> (If Part C for the producer and county listed above was completed on another FSA-493 for the crop year, do not complete Part C again. Attach this FSA-493 to a photocopy of the previous FSA-493 report that has Part C completed for the producer.)	
--	--

<b>1. PROGRAMS - FARM SPECIFIC:</b>								<b>PART D - REASON CODES</b>	
A. Program	B. Farm No.	C. Cropland Acres	D. Status (OO, OP, OW, OT)	E. Requested Benefits (\$)	F. Reinstated Benefits (\$)	G. Reason Code (See Part D)	H. Exemption Approval Level (Code & Date) (See Part E)	Code	Description
2012 Direct Payments	3579	191.6	OP	2,688.00	2,688.00	7	S - 5/9/2013	1	AD-1026B Tenant Exemption
2012 Average Crop Revenue Elections	4436	711.4	OP	11,024.00	11,024.00	7	S - 5/9/2013	2	AD-1026C Landlord Exemption
								3	AD-1068 HELC
								4	AD-1069 WC
								5	NRCS Reversed
								6	Misaction/Misinformation
								7	Other: (Enter in Part C, Item 3)
<b>2. PROGRAMS - NOT FARM SPECIFIC:</b>								<b>PART E - EXEMPTION APPROVAL LEVEL</b>	
A. Program	B. Requested Benefits (\$)	C. Reinstated Benefits (\$)	D. Reason Code (See Part D)	E. Exemption Approval Level (Code & Date) (See Part E)	Code	Description			
					C	County			
					S	State			
					N	National			
					J	Judicial Court			

<b>3. Description of Code 7 entries in Item 1G or Item 2D:</b> Cleared converted wetland after 11/28/1990			
4A. Preparer's Signature	4B. Title of Preparer	4C. Name and Location of Office	4D. Date Signed
	PT	138 Williamsburg Ln Monroe County - Waterloo, IL 62295	05-14-2013

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs,

This form is available electronically.

<b>FSA-493</b> (02-06-12)	<b>U.S. DEPARTMENT OF AGRICULTURE</b> Farm Service Agency	1. Check if Farm Payment and Exemption Data on Prior Report  YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
<b>HIGHLY ERODIBLE LAND CONSERVATION/WETLAND CONSERVATION VIOLATION DATA</b> (WORKSHEET)		

**PART A - FSA-569 DATA** (Copy data from corresponding FSA-569)

2. Control Number	3. Crop Year	4. FSA Administrative County:	5. NRCS FIPS State & County Code (Enter if different from Item 4)	6. Farm Number	7. Tract Number	8. Acres	9. Type of Violation (Check one):
1	2012	A. State Name	Code	17-133	4436	10128	0.2
		Illinois	17				
		B. County Name	Code				
		133					A. HELC <input type="checkbox"/> B. Planting on CW <input type="checkbox"/> C. Wetland Conversion after 11/28/90 <input checked="" type="checkbox"/>

**PART B - PRODUCER DATA** (FSA-493 must be completed for each producer associated as OW, OP, OO, or OT on farm listed in Part A and their affiliates. FSA-493 must be completed for each County in which they have an interest.)

10. Producer's Name Jason Siburt	11. Tax ID Number (Last 4 Digits) <div style="background-color: black; color: red; padding: 2px;">17133</div>	12. ID Type: S <input checked="" type="checkbox"/> E <input type="checkbox"/>	13. AD-1026 Filed? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	14. GPR Approved \$ <small>Note: GPR amount shall be entered from AD-1068 only for County listed in Part A. Other counties leave blank.</small>	15. State Name & Code Illinois - 17	16. County Name & Code Monroe - 133
-------------------------------------	--	--	---	--	--	--

**PART C - FARM PAYMENT AND EXEMPTION DATA** (If Part C for the producer and county listed above was completed on another FSA-493 for the crop year, do not complete Part C again. Attach this FSA-493 to a photocopy of the previous FSA-493 report that has Part C completed for the producer.)

**1. PROGRAMS - FARM SPECIFIC:**

A. Program	B. Farm No.	C. Cropland Acres	D. Status (OO, OP, OW, OT)	E. Requested Benefits (\$)	F. Reinstated Benefits (\$)	G. Reason Code (See Part D)	H. Exemption Approval Level (Code & Date) (See Part E)	PART D - REASON CODES
								Code      Description
2012 Direct Payments	3579	191.6	OP	2,688.00	2,688.00	7	S - 5/9/2013	1 AD-1026B Tenant Exemption
2012 Average Crop Revenue Elections	4436	711.4	OP	11,024.00	11,024.00	7	S - 5/9/2013	2 AD-1026C Landlord Exemption
								3 AD-1068 HELC
								4 AD-1069 WC
								5 NRCS Reversed
								6 Misaction/Misinformation
								7 Other: (Enter in Part C, Item 3)

**2. PROGRAMS - NOT FARM SPECIFIC:**

A. Program	B. Requested Benefits (\$)	C. Reinstated Benefits (\$)	D. Reason Code (See Part D)	E. Exemption Approval Level (Code & Date) (See Part E)	PART E - EXEMPTION APPROVAL LEVEL
					Code      Description
					C County
					S State
					N National
					J Judicial Court

3. Description of Code 7 entries in Item 1G or Item 2D:  
Cleared converted wetland after 11/28/1990

4A. Preparer's Signature 	4B. Title of Preparer PT	4C. Name and Location of Office Monroe County - 138 Williamsburg Ln Waterloo, IL 62298	4D. Date Signed 05-14-2013
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The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs,



## Schwarze, Lisa - FSA, Waterloo, IL

---

**From:** Martin, Kimberly - FSA, Springfield, IL  
**Sent:** Monday, April 15, 2013 11:14 AM  
**To:** Schwarze, Lisa - FSA, Waterloo, IL; Diebal, Jamie - FSA, Springfield, IL  
**Cc:** Mathews, Linda - FSA, Waterloo, IL  
**Subject:** RE: Good Faith Relief for WC Violation 1of3

Lisa & Linda-

Just have a couple details to clean up before I submit the information for SED concurrence.

The FSA-569 is only showing a Final Technical Determination date for Dillenger Farms Inc. Have the preliminary determinations been finalized for James F and Susan H Dillenger Revocable Trust and Bluffview Farm Inc? If so, can NRCS enter the applicable dates in item 10 and scan/email it to me? ✓

When I didn't see the dates on the FSA-569, I looked for the NRCS final determination letters and only saw the one for Dillenger Farms - did any of the other producers receive the letters? And the FSA WC Violation Letter?

Could you get a copy of the preliminary determination letter NRCS sent to the producers? ✓

Thanks,  
Kim

-----Original Message-----

From: Schwarze, Lisa - FSA, Waterloo, IL  
Sent: Friday, March 29, 2013 8:55 AM  
To: Diebal, Jamie - FSA, Springfield, IL; Martin, Kimberly - FSA, Springfield, IL  
Cc: Mathews, Linda - FSA, Waterloo, IL  
Subject: Good Faith Relief for WC Violation 1of3

Sent to  
STO  
4-19-13

Hi Jamie and Kim,

Attached is a request for Good Faith Relief for WC Violation. I tried to scan as one PDF file and was getting error message "file too big", therefore I am sending three emails to both of you. Please let me know if you need anything else for our office.

Thanks

Lisa Schwarze  
Monroe County Program Technician  
Tel: 618 939 6181 x104  
Fax: 618 939 4647

-----Original Message-----

From: Lisa [mailto:[Lisa.Schwarze@il.usda.gov](mailto:Lisa.Schwarze@il.usda.gov)]

**Schwarze, Lisa - FSA, Waterloo, IL**

---

**From:** Schwarze, Lisa - FSA, Waterloo, IL  
**Sent:** Friday, April 19, 2013 9:55 AM  
**To:** Martin, Kimberly - FSA, Springfield, IL; Diebal, Jamie - FSA, Springfield, IL  
**Cc:** Mathews, Linda - FSA, Waterloo, IL  
**Subject:** Good Faith Relief for WC Violation  
**Attachments:** Dillenbergers WC.pdf; Dillenbergers WC\_FSA Letters.pdf

Kim,

I have attached requested documents and please see responses below. If you need anything else please let me know.

Thanks,

*Lisa Schwarze*

*Monroe County Program Technician*

*Tel: 618 939 6181 x104*

*Fax: 618 939 4647*

 United States Department of Agriculture  
**Farm Service Agency**

-----Original Message-----

**From:** Martin, Kimberly - FSA, Springfield, IL  
**Sent:** Monday, April 15, 2013 11:14 AM  
**To:** Schwarze, Lisa - FSA, Waterloo, IL; Diebal, Jamie - FSA, Springfield, IL  
**Cc:** Mathews, Linda - FSA, Waterloo, IL  
**Subject:** RE: Good Faith Relief for WC Violation 1of3

Lisa & Linda-

Just have a couple details to clean up before I submit the information for SED concurrence.

The FSA-569 is only showing a Final Technical Determination date for Dillenberger Farms Inc. Have the preliminary determinations been finalized for James F and Susan H Dillenberger Revocable Trust and Bluffview Farm Inc? If so, can NRCS enter the applicable dates in item 10 and scan/email it to me? NRCS has added the dates and Bluffview Farm Inc. is not associated with this violation because he is not associated with the area; Linda talked to Don King about this when it all started.

When I didn't see the dates on the FSA-569, I looked for the NRCS final determination letters and only saw the one for Dillenberger Farms - did any of the other producers receive the letters? And the FSA WC Violation Letter? The other producers did not receive a letter from NRCS, after talking to our DC, if you look at the last paragraph of their letters it says "If you are the owner of the tract 10128 and the tract is being farmed by a tenant, I urge you to discuss this letter with your tenant. Likewise, if you are the tenant of the tract 10128, I urge you to discuss this letter with your landlord. I have attached the FSA letters for all producers involved including the members of Dillenberger Farms Inc.

Could you get a copy of the preliminary determination letter NRCS sent to the producers? I have attached the preliminary letter from NRCS with the 569 document, again please see the last paragraph of NRCS letter.

Thanks,  
Kim

This form is available electronically.

FSA-569  
(02-06-12)

U.S. DEPARTMENT OF AGRICULTURE  
Farm Service Agency

NRCS REPORT OF HELC AND WC COMPLIANCE

1. Control Number  
1

2. Was This Determination Requested by NRCS?  
YES ☐ NO ☒

PART A - TO BE COMPLETED BY FSA

TO: NRCS

FROM 3. (County FSA Office Name and Address)

Monroe County FSA Office  
138 Williamsburg Lane  
Waterloo, IL 62298

4. FSA Administrative County:

A. State Name and Code  
Illinois - 17

B. County Name and Code  
Monroe - 133

5. NRCS FIPS State and County Code  
17-133

6. Farm Number  
4436

7. Crop Year  
2013

8. Tract Number  
10128

9. Producer Information

10. To be completed by NRCS

Producer	A. NAME AND ADDRESS	B. TAX ID NUMBER (Last 4 Digits)	Enter Date NRCS Technical Determination Is Final (MM-DD-YYYY)
Operator of Farm entered in Item 6.	DILLENBERGER FARMS INC 6664 A Rd - Valmeyer, IL 62295	8585	02-08-2013
Owner(s) of tract entered in Item 8.	JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST 6664 A Rd - Valmeyer, IL 62295	8585	2-8-2013
Tenant(s) or Sharecropper(s) on farm entered in Item 6 Note: Enter "NONE" if applicable.	BLUFFVIEW FARM INC 8490 Forest Blvd - Caseyville, IL 62232	8585	N/A

INSTRUCTIONS FOR NRCS: The above farm has been identified as having a potential noncompliance of the highly erodible land and wetland conservation provisions of the Food Security Act of 1985, as amended, for the crop year indicated above. Applicable field(s) or area(s) are marked with a red "X" on the attached photocopies.

- a) Please make applicable review(s) for the determination checked in Part B.  
b) Complete Item 10 above when the NRCS technical determination becomes final and Part C below and return it to the FSA County Office immediately so that the producer's eligibility for program benefits can be determined.

11. FSA County Office Representative (Complete Part B)

*Linda Mathews*

12. Date Referred to NRCS

(MM-DD-YYYY)  
11/29/12

PART B - TYPE OF DETERMINATION

PART C - TO BE COMPLETED BY NRCS (Check this block if NRCS was refused access to the land to verify compliance).

FSA Enter a "check" for the type of determination requested	1. Check If Reviewed	2. Field Nos.	3. Acres
1. <input type="checkbox"/> HELC Compliance Determination	<input type="checkbox"/> The field does "NOT" meet requirements of the HELC provisions <input type="checkbox"/> The field meets the requirements of the HELC provisions.		
2. <input type="checkbox"/> Verify wetland classification on land that was planted to an agricultural commodity	<input checked="" type="checkbox"/> The area identified is a CW. <input type="checkbox"/> The area identified is "NOT" CW.	A	0.2
3. <input checked="" type="checkbox"/> Determine whether an area is a wetland that was converted after 11/28/90.	<input checked="" type="checkbox"/> The area identified is a wetland that was converted after 11/28/90. <input type="checkbox"/> The area identified is "NOT" a wetland that was converted after 11/28/90.	A	0.2

NRCS Certification: NRCS reviewed the field(s) or area(s) requested for the subject farm that are entered in Part C, Items 2 and 3.

4A. Signature, NRCS Representative

*Wayne Johnson*

4B. Date (MM-DD-YYYY)

01-07-2013

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

Date: 1/8/2013

Dillenberger Farms  
6664A Rd.  
Valmeyer, IL 62295

CERTIFIED MAIL

Dear Dillenberger Farms;

The Food Security Act of 1985, as amended, requires any person who plants an agricultural commodity on a wetland converted after December 23, 1985, or converts a wetland after November 28, 1990 for the purpose of making production of an agricultural commodity possible, to be determined ineligible for many US Department of Agriculture (USDA) program benefits conditioned upon compliance with provisions set forth in USDA regulation 7 CFR Part 12 §12.4.

On December 18th, 2012 the Natural Resources Conservation Service (NRCS) conducted a wetland determination field investigation on Tract Number 10128 in Monroe County, Illinois. Based on the field investigation I have made a preliminary technical determination that:

- Field A shown in Section II of the attached NRCS-CPA-026E "HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION" form, contain wetlands and/or wetland violations with the labels/certifications as indicated.
- These areas met, or had met before conversion, wetland criteria of having soils that developed in wetlands, plants that grow in wetlands and soil and/or surface wetness.
- Your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985, as amended. This violation may impact your ability to receive many USDA program benefits if an exemption is not granted.

This preliminary technical determination has been conducted for the purpose of implementing the wetland conservation provisions of the Food Security Act of 1985. This determination may not be valid for identifying the Army Corps of Engineers' (COE) Clean Water Act jurisdiction for this site. If you intend to conduct any activity that constitutes a discharge of dredged or fill material into wetlands or other waters, you should request a jurisdictional determination from the local office of the COE prior to starting the work.

The following are your rights under the USDA Administrative Appeals Process, as provided by the NRCS Appeals Procedures, 7 CFR 614, May 16, 2006, 71 FR28239. To exercise these rights you must respond to this office within 30 days of this letter.

1. You may request reconsideration and a field visit from the local office. The request must be made in writing and can be sent by email, fax, regular mail, or be hand delivered to the NRCS office located at: 140 Williamsburg Lane, Waterloo, IL 62298, ph. 618-939-6181 ext 3, fax 618-939-4647, or email [wayne.johanning@il.usda.gov](mailto:wayne.johanning@il.usda.gov).

A field review will be conducted by NRCS field office personnel and an NRCS Area Technical Specialist, to review with you the basis for the preliminary technical

determination, answer any questions you may have, gather additional information from you concerning the preliminary determination and conduct additional field investigations if necessary.

Following the field visit, if the facts as presented at the field visit result in a determination that is no longer adverse to you as a USDA Program Participant, I will issue a final technical determination within 15 days. If, however, the determination remains adverse, I must by regulation at 7 CFR 614.7(b), forward my technical determination and all findings, including those from the field visit, to the State Conservationist for review and issuance of the final technical determination. If that determination is adverse, the State Conservationist will issue your appeal rights on the final technical determination.

2. You may also request mediation. Mediation may be used in an attempt to explain the preliminary technical determination, review other information that may be pertinent to your farming operation, and to provide a forum for a potential solution to any concerns you have with the preliminary technical determination. If you need information to assist you in deciding whether to mediate our decision you can call or e-mail the Illinois Agricultural Mediation Program or visit their web sites at [www.ilagmediation.org](http://www.ilagmediation.org) and [www.dri-inc.org](http://www.dri-inc.org). To request mediation, fax, email or mail a signed request with your contact information and a copy of this determination letter to the Illinois Agricultural Mediation Program office at:

Illinois Agricultural Mediation Program  
Dispute Resolution Institute, Inc.  
P.O. Box 1136  
Carbondale, IL 62903  
Phone: (618) 549-1300  
Fax: 618-351-1419  
Email: [iamp@dri-inc.org](mailto:iamp@dri-inc.org)

Mediation must be completed within 30 days from the date of the first mediation session. If an agreement is not reached, the mediation process ends. If an agreement is reached, I will issue a final technical determination that will be issued on the basis of the mediation agreement not later than 15 calendar days from the date the mediation agreement is signed by all parties. There will be no further appeal rights available if you choose mediation and the issue is successfully resolved.

3. If you wish to expedite the formal appeal process, you may make a written request to waive your informal reconsideration and/or mediation rights of the preliminary technical determination. Such request will render the preliminary technical determination final and appealable.

Until the preliminary technical determination subject to this notification becomes a final technical determination, the Farm Service Agency (FSA) will not use the preliminary technical determination to make decisions on your eligibility for any USDA program benefits subject to the Conservation Compliance Provisions.

If you are the owner of tract 10128 and the tract is being farmed by a tenant, I urge you to discuss this letter with your tenant. Likewise, if you are the tenant of tract 10128, I urge you to discuss this letter with your landlord.

Sincerely,

Bryan Fitch

Digitally signed by Bryan Fitch  
DN: cn=Bryan Fitch, o=USDA-  
NRCS,  
email=bryan.fitch@usda.gov,  
c=US  
Date: 2013.01.07 14:55:00 -06'00'

Designated Conservationist

Attachments:

NRCS-CPA-026E HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION  
DETERMINATION with map

cc: Monroe County Soil & Water Conservation District





United States  
Department of  
Agriculture

Farm Service Agency  
Monroe County FSA  
138 Williamsburg Lane  
Waterloo, IL 62298

March 1, 2013

James & Susie Dillenberger Rev. Tr  
6664 A Rd  
Valmeyer, IL 62295

Dear Jim:

The Food Security Act of 1985, as amended, provides that, unless exempt, persons are ineligible for benefits under certain programs administered by USDA (program applicability is found in FSA's Handbook 6-CP (Rev. 4) paragraph 3 and is enclosed) if they convert a wetland after November 28, 1990, by draining, dredging, filling, leveling, or any other means for the purpose, or to have the effect, of making the production of an agricultural commodity possible. A recent status review completed by the Natural Resources Conservation Service (NRCS) revealed that there is a Wetland Conservation (WC) compliance violation on Farm 4436, Tract 10128, Field A.

In their review, NRCS made a preliminary technical determination on January 8, 2013 that .2 acre(s) on tract 10128 had been cleared and the area was a wetland. The NRCS preliminary technical determination became final on February 8, 2013. The determination revealed that your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985.

According to 6-CP (Rev. 4) subparagraph 601 B, if the action that caused the violation was converting a wetland, then the Farm Service Agency (FSA) is required to deny benefits for the crop or program year that equals the calendar year in which NRCS determines the conversion activity took place, in this case 2012. This denial of benefits continues for all subsequent years until the wetland is restored or mitigated before January 1 of the subsequent crop year(s). This determination of ineligibility applies to you and any persons affiliated with you. To date, according to information on file in this office including your AD-1026 Highly Erodible Land Conservation and Wetland Conservation Certification, identified affiliated producer(s) are Chad Dillenberger, and Jason Siburt.

As a result, you are ineligible to receive all benefits on farm 4436 in addition to any other farms requesting benefits under this producer name. Also, any entity that this producer name is a first level member of may have payments reduced according to your share. The amount to be refunded will be included in a separate letter.

The reviewing authority has taken into consideration all available avenues of relief under specific program procedure in the handbook(s) applicable to the issue(s) under appeal, and the 7-CP handbook (7 CFR § 718). The reviewing authority has examined the record and found no evidence to support relief under the finality rule, misaction/misinformation, and failure to fully comply provisions.

You may appeal this determination to the County Committee by filing a written request no later than 30 calendar days after you receive this notice in accordance with the FSA appeal procedures found at 7 CFR Part 780. If you appeal to the County Committee, you have the right to an informal hearing which you or your representative may attend either personally or by telephone. If you appeal this determination to the County Committee, you may later appeal an adverse determination of the County Committee to the FSA State Committee or the National Appeals Division or request mediation. To appeal, write to the County Committee at the following address and explain why you believe this determination is erroneous.

138 Williamsburg Lane  
Waterloo, IL 62298

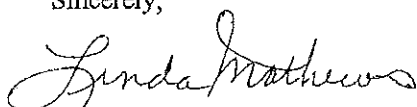
The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance programs. (Not all prohibited basis apply to all programs.) Persons with disabilities who require alternative means for communications of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800)-795-3272 (voice) or (202)-720-6382 (TDD). USDA is an equal opportunity provider and employer.

In addition to the above notification of benefit and payment ineligibility and applicable appeal rights, FSA would also like to notify you of good faith relief provisions that may be available for inadvertent violations. Benefit and payment eligibility may be restored if it is determined you acted in good faith as approved by FSA and you agree to implement practices according to a mitigation or restoration plan within an agreed period, not to exceed one year.

If you decide to request a good faith determination, please use Form AD-1069, which has been provided for your convenience, and complete items 7 and 8. As opposed to completing item 7 you may attach a sheet to explain your request. You may also request to meet with the County Committee to provide any information that will assist in their review. If you determine to pursue this option, the completed Form AD-1069 needs to be returned to this office.

Sincerely,



Linda Mathews  
County Executive Director

cc: Wayne Johanning, NRCS District Conservationist  
Ray Gvillo, District Director

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United States  
Department of  
Agriculture

Farm Service Agency  
Monroe County FSA  
138 Williamsburg Lane  
Waterloo, IL 62298

March 1, 2013

Jason Siburt  
3079 State Route 156  
Waterloo, IL 62298

Dear Jason:

The Food Security Act of 1985, as amended, provides that, unless exempt, persons are ineligible for benefits under certain programs administered by USDA (program applicability is found in FSA's Handbook 6-CP (Rev. 4) paragraph 3 and is enclosed) if they convert a wetland after November 28, 1990, by draining, dredging, filling, leveling, or any other means for the purpose, or to have the effect, of making the production of an agricultural commodity possible. A recent status review completed by the Natural Resources Conservation Service (NRCS) revealed that there is a Wetland Conservation (WC) compliance violation on Farm 4436, Tract 10128, Field A.

In their review, NRCS made a preliminary technical determination on January 8, 2013 that .2 acre(s) on tract 10128 had been cleared and the area was a wetland. The NRCS preliminary technical determination became final on February 8, 2013. The determination revealed that your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985.

According to 6-CP (Rev. 4) subparagraph 601 B, if the action that caused the violation was converting a wetland, then the Farm Service Agency (FSA) is required to deny benefits for the crop or program year that equals the calendar year in which NRCS determines the conversion activity took place, in this case 2012. This denial of benefits continues for all subsequent years until the wetland is restored or mitigated before January 1 of the subsequent crop year(s).

Furthermore, according to Handbook 6-CP (Rev. 4) subparagraphs 602 E and F and paragraph 302, a producer determined to be an 'affiliated person' of the producer/entity determined to be in violation is also affected due to the affiliated relationship. A copy of the policy is enclosed. As such, this determination of ineligibility applies to you as an affiliate of Dillenberger Farms. Because of this affiliated relationship, other options to review potential restoration of benefits to you may exist in addition to those outlined below; feel free to contact me for additional review as these actions are determined on a case-by-case basis.

As a result, you are ineligible to receive all benefits on farm 4436 in addition to any other farms requesting benefits under this producer name. Also, any entity that this producer name is a first level member of may have payments reduced according to your share. The amount to be refunded will be included in a separate letter.

The reviewing authority has taken into consideration all available avenues of relief under specific program procedure in the handbook(s) applicable to the issue(s) under appeal, and the 7-CP handbook (7 CFR § 718). The reviewing authority has examined the record and found no evidence to support relief under the finality rule, misaction/misinformation, and failure to fully comply provisions.

You may appeal this determination to the County Committee by filing a written request no later than 30 calendar days after you receive this notice in accordance with the FSA appeal procedures found at 7 CFR Part 780. If you appeal to the County Committee, you have the right to an informal hearing which you or your representative may attend either personally or by telephone. If you appeal this determination to the County Committee, you may later appeal an adverse determination of the County Committee to the FSA State Committee or the National Appeals Division or request mediation. To appeal, write to the County Committee at the following address and explain why you believe this determination is erroneous.

138 Williamsburg Lane  
Waterloo, IL 62298

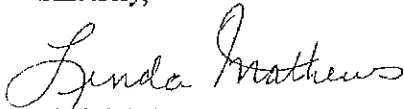
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Sincerely,



Linda Mathews  
County Executive Director

cc: Wayne Johanning, NRCS District Conservationist  
Ray Gvillo, District Director

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United States  
Department of  
Agriculture

Farm Service Agency  
Monroe County FSA  
138 Williamsburg Lane  
Waterloo, IL 62298

March 1, 2013

Chad Dillenger  
6664 A Rd  
Valmeyer, IL 62295

Dear Chad:

The Food Security Act of 1985, as amended, provides that, unless exempt, persons are ineligible for benefits under certain programs administered by USDA (program applicability is found in FSA's Handbook 6-CP (Rev. 4) paragraph 3 and is enclosed) if they convert a wetland after November 28, 1990, by draining, dredging, filling, leveling, or any other means for the purpose, or to have the effect, of making the production of an agricultural commodity possible. A recent status review completed by the Natural Resources Conservation Service (NRCS) revealed that there is a Wetland Conservation (WC) compliance violation on Farm 4436, Tract 10128, Field A.

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138 Williamsburg Lane  
Waterloo, IL 62298

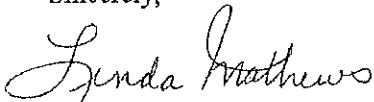
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Sincerely,



Linda Mathews  
County Executive Director

cc: Wayne Johanning, NRCS District Conservationist  
Ray Gvillo, District Director

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## Schwarze, Lisa - FSA, Waterloo, IL

---

**From:** Martin, Kimberly - FSA, Springfield, IL  
**Sent:** Tuesday, March 19, 2013 1:25 PM  
**To:** Schwarze, Lisa - FSA, Waterloo, IL; Diebal, Jamie - FSA, Springfield, IL  
**Subject:** RE: Good Faith Relief for WC Violation

Lisa-

Please scan/email the following to me:

To assist in this review process, submit the following items (copies only). Do not staple documents (if mailed), put in chronological order (with most recent on top), no front/back- front only for additional copying, preference is to scan in the file and email.

Short cover memo to SED sent to attention of CEPD- Donald or Jamie.

applicable COC minutes

completed AD-1068/1069 and request for good faith from producer if separate from AD-1068/1069

FSA's noncompliance letter notification to producer

FSA-569

NRCS final determination letter

NRCS status review documentation, work sheets, notes, CPO the producer was found in violation of (if there was one and may not be one for WC), etc. according to 6-CP par. 716E

AD-1026 and 1026A/Producer Farm Data Report

156-EZ for the farm

map of the acreage in violation

\*any other info you feel may be needed to help substantiate good faith determination

Thanks,

*Kim Martin*

Kimberly Martin | Conservation and Environmental Programs Assistant  
Farm Service Agency  
U.S. Department of Agriculture  
3500 Wabash Ave | Springfield, IL 62711  
Phone: 217.241.6600 ext. 225 | Fax: 217.241.6619

Kim

*What I  
sent to  
STO 3-29-13*

---

**From:** Schwarze, Lisa - FSA, Waterloo, IL  
**Sent:** Friday, March 15, 2013 3:48 PM  
**To:** Diebal, Jamie - FSA, Springfield, IL; Martin, Kimberly - FSA, Springfield, IL  
**Subject:** Good Faith Relief for WC Violation

Jamie/Kim

I have a WC Violation that our COC has granted good faith and the SED needs to concur; what do we need to send along with the AD-1069 to the STO for STC/SEC approval?


*Thanks*

*Lisa Schwarze*

Monroe County Program Technician

Tel: 618 939 6181 x104

Fax: 618 939 4647

 United States Department of Agriculture  
**FSA** *Farm Service Agency*

**Schwarze, Lisa - FSA, Waterloo, IL**

---

**From:** Schwarze, Lisa - FSA, Waterloo, IL  
**Sent:** Friday, March 29, 2013 8:55 AM  
**To:** Diebal, Jamie - FSA, Springfield, IL; Martin, Kimberly - FSA, Springfield, IL  
**Cc:** Mathews, Linda - FSA, Waterloo, IL  
**Subject:** Good Faith Relief for WC Violation 1of3  
**Attachments:** 20130329083834542.pdf

Hi Jamie and Kim,

Attached is a request for Good Faith Relief for WC Violation. I tried to scan as one PDF file and was getting error message "file to big", therefore I am sending three emails to both of you. Please let me know if you need anything else for our office.

Thanks

Lisa Schwarze  
Monroe County Program Technician  
Tel: 618 939 6181 x104  
Fax: 618 939 4647

-----Original Message-----

From: Lisa [<mailto:Lisa.Schwarze@il.usda.gov>]  
Sent: Friday, March 29, 2013 8:39 AM  
To: Schwarze, Lisa - FSA, Waterloo, IL  
Subject: Message from "RICOHG3001N01"

This E-mail was sent from "RICOHG3001N01" (Aficio MP C3001).

Scan Date: 03.29.2013 08:38:34 (-0500)  
Queries to: [do\\_not\\_reply@il.usda.gov](mailto:do_not_reply@il.usda.gov)

scan from Ricoh



United States  
Department of  
Agriculture

Farm and Foreign  
Agricultural  
Services

Farm  
Service  
Agency

Monroe County FSA  
138 Williamsburg Lane  
Waterloo, IL 62298  
(618) 939-6181 ext. 2

---

TO: Sherrie Giamanco – SED; Attention CEPD – Jamie or Kim

FROM: Monroe County COC; Attention CED -Linda Mathews or PT - Lisa Schwarze

DATE: March 28, 2013

SUBJECT: Good Faith Relief for WC Violation

---

COC reviewed the AD-1069, Request for Good Faith Relief Wetland Conservation (WC) Violations, submitted by Dillenberger Farms, Chad Dillenberger, Jason Siburt and James and Susan Dillenberger Trust. According to 6-CP (Rev. 4) paragraph 621, the COC feels that the producer acted in good faith without intent to violate and the action was not a scheme or device to avoid compliance on the 0.2 acres. Therefore, the COC is submitting to the State Executive Director (SED) for concurrence as required by 6-CP (Rev.4), paragraph 631. Attached is all required documents.

If you have any questions, please feel free to give us a call at (618) 939-6181.


The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance programs. (Not all prohibited basis apply to all programs.) Persons with disabilities who require alternative means for communications of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800)-795-3272 (voice) or (202)-720-6382 (TDD). USDA is an equal opportunity provider and employer.



USDA is an equal opportunity provider and employer.

MONROE COUNTY COMMITTEE MEETING MINUTES

466A	4748	11731	5.0	CP33
537A	4722	11348	10.6	CP9
538A	4722	11348	33.8	CP23

-  C. COC reviewed the AD-1069, Request for Good Faith Relief Wetland Conservation (WC) Violations, submitted by Dillenger Farms, Chad Dillenger, Jason Siburt, and James and Susan Dillenger Trust.

On January 8, 2013 the NRCS conducted a wetland determination field investigation. It was determined that the removal of woody vegetation in 2012 was considered a manipulation that makes the area farmable and is a violation of the wetland provisions.

March 15, 2013 all producers involved submitted a good faith request stating that they were unaware of the program procedure and that they would restore the .2 of acre as required by the Wetland mitigation Plan/Agreement.

According to 6-CP (Rev. 4) paragraph 621, the COC feels that the producer acted in good faith without intent to violate and the action was not a scheme or device to avoid compliance on the .2 acre. Therefore, the COC will submit to the State Executive Director (SED) for concurrence as required by 6-CP (Rev. 4), paragraph 631.

**4. PRODUCTION ADJUSTMENT:**

- A. The COC has delegated the authority to CED, Linda Mathews, to approve CCC-509 for the 2013 program year per DAFP Conference Notes dated January 17, 2013.
- B. COC approved the following 2013 CCC-509, Direct and Counter Cyclical Program Contract, and, if applicable, the CCC-509 ACRE, Average Crop Revenue Election (ACRE) Program Irrevocable Election, according to 1-DCP (Rev. 3), paragraph 353.

<i>Farm #</i>	<i>Farm#</i>	<i>Farm#</i>	<i>Farm#</i>	<i>Farm#</i>
17	20	41	156	254
255	272	295	487	509
548	567	579	586	604
649	739	835	1079	1149
1308	1318	1393	1597	1747
1885	1886	2013	2082	2204
2577	2561	2573	2970	2985
2987	3034	3037	3107	3110
3112	3156	3185	3215	3216
3267	3302	3318	3406	3499
3555	3687	3722	3844	3845
3846	3869	3872	3933	4018

# WETLAND MITIGATION PLAN\AGREEMENT

Name: James Dillenberger      Date: January 10, 2013  
County: Monroe                      Farm No.: 4436                      Address: 6664 A Rd  
State: Illinois                      Tract No.:10128                      Valmeyer, IL

This agreement is to stipulate the conditions which must be created and maintained by the person in order to receive good faith/mitigation exemptions which will enable the provision of USDA program benefits to the person.

I hereby agree to the terms set forth below, and understand that any willful action on my part that is not consistent with the stipulated terms that will diminish the value of the restored wetland will result in the loss of the good faith/mitigation exemption and the area will be considered converted wetland (CW + 2012). I agree that the following terms will be installed and maintained in a condition that is to the satisfaction of the Natural Resources Conservation Service (NRCS) and agree to provide the right of access to wetlands involved to USDA personnel to monitor if terms of the agreement are being carried out.

## PART 1 – CHARACTERISTICS OF PROJECT IMPACT

- I. Project Overview: Mr. Dillenberger cleared trees from a 0.2 acre wetland in 2012. A final certified wetland determination was completed in February 2013 that determined the area met all wetland criteria.
- II. Project Location: The area is located in the SE ¼ of Section 27, T2S-R11W along Moredock Lake. (See attached map.)
- III. Characterization of Wetland Area Impacted:
  - A. Wetland Classification: PFOIA Palustrine Forested Wetland
  - B. Soils: Karnak overwash, frequently flooded. Matrix colors of 10YR4/2, 10YR5/1, and 2.5Y 5/1 within 12 inches of the soil surface. Yellowish red redox concentrations are present in all horizons from the surface down.
  - C. Vegetation: slough sedge, silver maple and black willow
  - D. Hydrology: water marks, inundation and oxidized roots
  - E. Topography: Low gradient lake shoreline

## Part 2 – CHARACTERIZATION OF RESTORATION SITE

- I. Restoration Site Location: Same as impacted area:
- II. Site Characterization of Existing Physical Conditions:
  - A. Wetland Classification: Same as (Part 1, 3A)
  - B. Soils: Same as previously mentioned (Part 1, IIIB)



- C. Vegetation: Same as previously mentioned (Part 1, IIIC)
- D. Hydrology: Same as previously mentioned (Part 1, IIID)
- E. Topography: Low gradient lake shoreline

III. Restoration Techniques:

A. The restoration\mitigation sites shown on attached map will be planted to Bald Cypress. Refer to the table below and Illinois Job Sheet 612TS for number of trees needed and establishment specifications. For more detailed information see practice standard tree/shrub site preparation 490. Seedlings should be planted at a rate of 218 trees/acre on a 20 foot spacing. A minimum of 150 trees/acre should be living after 2 years to meet NRCS standards and specifications. If there are not 150 trees/acre the site may need to be replanted where the stand is deficient. Do not plant into frozen or extremely dry soil. Begin planting as soon as the ground can be worked in late winter or spring and complete by May 15. Seed source of all plant materials should be within a 200 mile radius of the planting site. The planting will be protected from unacceptable adverse impacts from pests, wildlife, livestock damage, chemicals or fire. After planting, the site will not be sprayed with herbicides, unless to control invasive species such as autumn olive and bush honeysuckle. Mowing is not allowed after planting.

SPECIES	NUMBER OF SEEDLINGS TO PLANT
Bald Cypress	44

B. Re-Vegetation: The site will have some natural re-vegetation occurring from silver maple and black willow.

C. Hydrology:

1. Targeted Hydrologic Regime: surface water, saturation, flooding.
2. Source of Water: precipitation, runoff

This mitigation agreement applies to the 1985 Food Security Act as amended, only. Other Federal, state and local permits may be required. This agreement becomes effective when signed and dated by all parties identified below.

Dillith Funder by Jane Dillith (Pres)  
Name, Owner/Operator

3/15/13  
Date

Wayne Johanning  
Wayne Johanning, District Conservationist

3/15/13  
Date

December 2, 2012

St. Louis Corps of Engineers  
Harrisonville Levee and Drainage  
Monroe County Farm Service Agency  
Monroe County Natural Resources Conservation Service

To whom it may concern:

I was completely surprised when I received the phone calls last week concerning my reclaiming of soil in Modoc Lake. I would never knowingly jeopardize my program payments with the FSA office. The only thing I was trying to do was to push back the treeline to where we had farmed previously. I did not think that you needed permission just to do that. This is the first time since the flood of 1993 that we had a chance to do that. My dad and I bought this farm in 1975. In 1976 we planted nearly halfway across the lake. We pushed willow trees back on the shoreline in the drought of 1983 and 1988. At no time, just like now, are we trying to gain more farmland than we originally had. Ignorance of the law is no excuse, but that's probably what I will

have to claim here. In saying that,  
I know I am basically at your mercy.  
I am truly sorry and hope there  
is some way to rectify this problem  
to everybody's satisfaction.

Respectfully

James Dillenberg

Dillenberg Farms, Inc.

James Dillenberg (Pres)



DEPARTMENT OF THE ARMY  
ST. LOUIS DISTRICT CORPS OF ENGINEERS  
1222 SPRUCE STREET  
ST. LOUIS, MISSOURI 63103-2833

REPLY TO  
ATTENTION OF:

December 04, 2012

Regulatory Branch  
File Number: MVS-2012-710

Mr. James Dillenger  
6664 A. Road  
Valmeyer, IL 62295

Mr. Dillenger:

This correspondence is in regards to an alleged unauthorized discharge and excavation of materials within a "Water of the United States", through work that you may have conducted in and adjacent to Moredock Lake, a waterbody connected to the Mississippi River, in Monroe County, Illinois. It was reported to our office that tree clearing and grading activities had taken place at the below listed location. A site visit to the area on November 27, 2012, revealed that work had occurred at the subject property in what appeared to be jurisdictional areas involving waters of the United States. On November 28, 2012, this office was again notified that work was taking place at the site. An officer from Illinois Conservation Police met with the individual onsite conducting the work, and on November 29, 2012, during a conversation with my staff, you verified that the work at the site had ceased. Specifically, the area of potential violation was verified to be located in Section 27, Township 02 South, Range 11 West, Monroe County, Illinois.

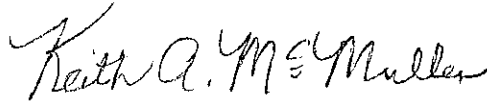
Section 404 of the Clean Water Act authorizes the Department of the Army to establish and enforce a Regulatory Program to protect "Waters of the United States." "Waters of the United States" includes all rivers, lakes, large and small streams with perennial, intermittent, and ephemeral flow, artificial water bodies, and wetlands. This office has jurisdiction to investigate and enforce Section 404 within the St. Louis District boundaries.

You are to contact this office and provide any information that you desire to furnish concerning this matter within 14 days of receiving this letter. Within the same period, you are also to arrange with this office for an on-site inspection so that we may evaluate the condition of the site. You must also furnish the name(s) and current mailing address(es) of any contractor(s) who assisted you in this activity. Contractors are considered co-liable for work efforts, as well as restoration or remediation of violation sites.

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Any correspondence concerning this matter should be addressed to Alan Edmondson, Regulatory Branch, at the letterhead address. You may contact him at (314) 331-8811, to schedule and arrange for the details of an on-site meeting.

Sincerely,

A handwritten signature in black ink that reads "Keith A. McMullen". The signature is written in a cursive style with a large initial "K" and "M".

Keith McMullen  
Illinois Section Chief  
Regulatory Branch

Copy Furnished:

Mr. Yone Yu  
US Environmental Protection Agency  
Wetland and Watersheds Section WW16J  
77 W. Jackson Boulevard  
Chicago, IL 60604-3590

Mr. Mike Diedrichsen  
IDNR, Office of Water Resources  
One Natural Resources Way  
Springfield, Illinois 62702-1271

Mr. Dan Heacock,  
IEPA, Bureau of Water  
1021 North Grand Avenue East  
Springfield, Illinois 62794-9276



United States  
Department of  
Agriculture

Farm Service Agency  
Monroe County FSA  
138 Williamsburg Lane  
Waterloo, IL 62298

March 1, 2013

Dillenger Farms  
6664 A Rd  
Valmeyer, IL 62295

Dear Jim:

The Food Security Act of 1985, as amended, provides that, unless exempt, persons are ineligible for benefits under certain programs administered by USDA (program applicability is found in FSA's Handbook 6-CP (Rev. 4) paragraph 3 and is enclosed) if they convert a wetland after November 28, 1990, by draining, dredging, filling, leveling, or any other means for the purpose, or to have the effect, of making the production of an agricultural commodity possible. A recent status review completed by the Natural Resources Conservation Service (NRCS) revealed that there is a Wetland Conservation (WC) compliance violation on Farm 4436, Tract 10128, Field A.

In their review, NRCS made a preliminary technical determination on January 8, 2013 that .2 acre(s) on tract 10128 had been cleared and the area was a wetland. The NRCS preliminary technical determination became final on February 8, 2013. The determination revealed that your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985.

According to 6-CP (Rev. 4) subparagraph 601 B, if the action that caused the violation was converting a wetland, then the Farm Service Agency (FSA) is required to deny benefits for the crop or program year that equals the calendar year in which NRCS determines the conversion activity took place, in this case 2012. This denial of benefits continues for all subsequent years until the wetland is restored or mitigated before January 1 of the subsequent crop year(s). This determination of ineligibility applies to you and any persons affiliated with you. To date, according to information on file in this office including your AD-1026 Highly Erodible Land Conservation and Wetland Conservation Certification, identified affiliated producer(s) are Chad Dillenger, and Jason Siburt.

As a result, you are ineligible to receive all benefits on farm 4436 in addition to any other farms requesting benefits under this producer name. Also, any entity that this producer name is a first level member of may have payments reduced according to your share. The amount to be refunded will be included in a separate letter.

The reviewing authority has taken into consideration all available avenues of relief under specific program procedure in the handbook(s) applicable to the issue(s) under appeal, and the 7-CP handbook (7 CFR § 718). The reviewing authority has examined the record and found no evidence to support relief under the finality rule, misaction/misinformation, and failure to fully comply provisions.

You may appeal this determination to the County Committee by filing a written request no later than 30 calendar days after you receive this notice in accordance with the FSA appeal procedures found at 7 CFR Part 780. If you appeal to the County Committee, you have the right to an informal hearing which you or your representative may attend either personally or by telephone. If you appeal this determination to the County Committee, you may later appeal an adverse determination of the County Committee to the FSA State Committee or the National Appeals Division or request mediation. To appeal, write to the County Committee at the following address and explain why you believe this determination is erroneous.

138 Williamsburg Lane  
Waterloo, IL 62298



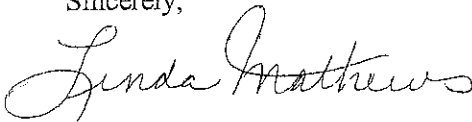
The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance programs. (Not all prohibited basis apply to all programs.) Persons with disabilities who require alternative means for communications of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800)-795-3272 (voice) or (202)-720-6382 (TDD). USDA is an equal opportunity provider and employer.

In addition to the above notification of benefit and payment ineligibility and applicable appeal rights, FSA would also like to notify you of good faith relief provisions that may be available for inadvertent violations. Benefit and payment eligibility may be restored if it is determined you acted in good faith as approved by FSA and you agree to implement practices according to a mitigation or restoration plan within an agreed period, not to exceed one year.

If you decide to request a good faith determination, please use Form AD-1069, which has been provided for your convenience, and complete items 7 and 8. As opposed to completing item 7 you may attach a sheet to explain your request. You may also request to meet with the County Committee to provide any information that will assist in their review. If you determine to pursue this option, the completed Form AD-1069 needs to be returned to this office.

Sincerely,



Linda Mathews  
County Executive Director

cc: Wayne Johanning, NRCS District Conservationist  
Ray Gvillo, District Director

FSA-569  
(02-06-12)U.S. DEPARTMENT OF AGRICULTURE  
Farm Service Agency

## NRCS REPORT OF HELC AND WC COMPLIANCE

1. Control Number  
12. Was This Determination Requested by NRCS?  
YES ☐ NO ☒

## PART A - TO BE COMPLETED BY FSA

TO: NRCS

FROM 3. (County FSA Office Name and Address)




Monroe County FSA Office  
138 Williamsburg Lane  
Waterloo, IL 62298

4. FSA Administrative County:

A. State Name and Code  
Illinois - 17B. County Name and Code  
Monroe - 1335. NRCS FIPS State and County Code  
17-1336. Farm Number  
44367. Crop Year  
20138. Tract Number  
10128

9. Producer Information

10. To be completed by NRCS

Producer	A. NAME AND ADDRESS	B. TAX ID NUMBER (Last 4 Digits)	Enter Date NRCS Technical Determination Is Final (MM-DD-YYYY)
Operator of Farm entered in Item 6.	DILLENBERGER FARMS INC 6664 A Rd - Valmeyer, IL 62295		02-08-2013
Owner(s) of tract entered in Item 8.	JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST 6664 A Rd - Valmeyer, IL 62295		
Tenant(s) or Sharecropper(s) on farm entered in Item 6 Note: Enter "NONE" if applicable.	BLUFFVIEW FARM INC 8490 Forest Blvd - Caseyville, IL 62232		

**INSTRUCTIONS FOR NRCS:** The above farm has been identified as having a potential noncompliance of the highly erodible land and wetland conservation provisions of the Food Security Act of 1985, as amended, for the crop year indicated above. Applicable field(s) or area(s) are marked with a red "X" on the attached photocopies.

- a) Please make applicable review(s) for the determination checked in Part B.  
b) Complete Item 10 above when the NRCS technical determination becomes final and Part C below and return it to the FSA County Office immediately so that the producer's eligibility for program benefits can be determined.

11. FSA County Office Representative (Complete Part B)

*Jenna Mathews*

12. Date Referred to NRCS

(MM-DD-YYYY)

11/29/12

## PART B - TYPE OF DETERMINATION

## PART C - TO BE COMPLETED BY NRCS (Check this block if NRCS was refused access to the land to verify compliance).

FSA Enter a "check" for the type of determination requested

			1. Check If Reviewed	2. Field Nos.	3. Acres
1.	<input type="checkbox"/>	HELC Compliance Determination	<input type="checkbox"/> The field does "NOT" meet requirements of the HELC provisions <input type="checkbox"/> The field meets the requirements of the HELC provisions.		
2.	<input type="checkbox"/>	Verify wetland classification on land that was planted to an agricultural commodity	<input checked="" type="checkbox"/> The area identified is a CW. <input type="checkbox"/> The area identified is "NOT" CW.	A	0.2
3.	<input checked="" type="checkbox"/>	Determine whether an area is a wetland that was converted after 11/28/90.	<input checked="" type="checkbox"/> The area identified is a wetland that was converted after 11/28/90. <input type="checkbox"/> The area identified is "NOT" a wetland that was converted after 11/28/90.	A	0.2

NRCS Certification: NRCS reviewed the field(s) or area(s) requested for the subject farm that are entered in Part C, Items 2 and 3.

4A. Signature, NRCS Representative

*Wayne J. Jennings*

4B. Date (MM-DD-YYYY)

01-07-2013

United States Department of Agriculture



Natural Resources Conservation Service  
Marion Area Office  
502 Comfort Drive, Suite D  
Marion, IL 62959

Ph: (618)993-5396 ext 141 Fax: (618)993-3126  
email: bryan.fitch@il.usda.gov

Date: February 8<sup>th</sup>, 2013

Dillenger Farms  
6664 A Rd.  
Valmeyer, IL 62295

CERTIFIED MAIL

Dear Dillenger Farms;

The Food Security Act of 1985, as amended, requires any person who plants an agricultural commodity on a wetland converted after December 23, 1985, or converts a wetland after November 28, 1990 for the purpose of making production of an agricultural commodity possible, to be determined ineligible for many US Department of Agriculture (USDA) program benefits conditioned upon compliance with provisions set forth in USDA regulation 7 CFR Part 12 §12.4.

On December 18<sup>th</sup>, 2012, the Natural Resources Conservation Service (NRCS) conducted a wetland determination field investigation on Tract Number 10128 in Monroe County, Illinois. Based on the field investigation I made a preliminary technical determination that:

- Field A shown in Section II of the attached NRCS-CPA-026E "HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION" form, contain wetlands and/or wetland violations with the labels/certifications as indicated.
- These areas met, or had met before conversion, wetland criteria of having soils that developed in wetlands, plants that grow in wetlands and soil and/or surface wetness.
- Your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985, as amended. This violation may impact your ability to receive many USDA program benefits if an exemption is not granted.

The preliminary technical determination was provided to you on January 8<sup>th</sup>, 2013 and was based on the findings listed above. The preliminary technical determination provided you a 30 day time period to provide us with additional information upon which to make our determination. The 30 day period was reached on February 8<sup>th</sup>, 2013. There has been no response to our office on the preliminary technical determination. As required by regulation and NRCS policy, I am making the preliminary technical determination a final technical determination.

The final technical determination has been made for the purpose of implementing the wetland conservation provisions of the Food Security Act of 1985. This determination may not be valid for identifying the Army Corps of Engineers' (COE) Clean Water Act jurisdiction for this site. If you intend to conduct any activity that constitutes a discharge of dredged or fill material into wetlands or other waters, you should request a jurisdictional determination from the local office of the COE prior to starting the work.

*Helping People Help the Land*

An Equal Opportunity Provider and Employer



The following are your rights under the USDA Administrative Appeals Process, as provided by the NRCS Appeals Procedures, 7 CFR 614, May 16, 2006, 71 FR28239.

1. Appeal to the Monroe County Farm Service Agency (FSA) County Committee

Monroe County FSA  
140 Williamsburg Lane, Waterloo, IL 62298  
Phone 618-939-6181 ext 2  
Fax 618-939-4647

2. Appeal to the National Appeals Division

USDA National Appeals Division  
P.O. Box 68806  
Indianapolis, Indiana 46268-0806  
Phone: 1-800-541-0457  
(317) 875-9648  
TTY: 1-800-791-3222  
FAX: (317) 875-9674

All requests for appeal on the final technical determination must be made in writing no later than 30 days from the date of the final technical determination.

If you are the owner of tract 10128 and the tract is being farmed by a tenant, I urge you to discuss this letter with your tenant. Likewise, if you are the tenant of tract 10128, I urge you to discuss this letter with your landlord.

Sincerely,

**Bryan Fitch**

Digitally signed by Bryan Fitch  
DN: cn=Bryan Fitch, o=USDA-  
NRCS, email=bryan.fitch@usda.gov,  
c=US  
Date: 2013.02.06 10:38:30 -06'00'

Designated Conservationist

Attachment: NRCS-CPA-026E HIGHLY ERODIBLE LAND AND WETLAND  
CONSERVATION DETERMINATION with map

cc: Monroe County Soil & Water Conservation District



United States Department  
of Agriculture

Natural Resources  
Conservation Service

NRCS-CPA-026e  
9/2012

## HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Name Address:	James Dillenberger Dillenberger Farms Inc 664 A Rd Valmeyer, IL 62295	Request Date:	11/29/2012	County:	Monroe
Agency or Person Requesting Determination:	FSA 569	Tract No:	10128	FSA Farm No.:	4436

### Section I - Highly Erodible Land

Is a soil survey now available for making a highly erodible land determination?	Yes
Are there highly erodible soil map units on this farm?	

Fields in this section have undergone a determination of whether they are highly erodible land (HEL) or not; fields for which an HEL Determination has not been completed are not listed. In order to be eligible for USDA benefits, a person must be using an approved conservation system on all HEL.

Field(s)	HEL(Y/N)	Sodbust (Y/N)	Acres	Determination Date

The Highly Erodible Land determination was completed in the

### Section II - Wetlands

Fields in this section have had wetland determinations completed. See the Definition of Wetland Label Codes for additional information regarding allowable activities under the wetland conservation provisions of the Food Security Act and/or when wetland determinations are necessary to determine USDA program eligibility.

Field(s)	Wetland Label*	Occurrence Year (CW)	Acres	Determination Date	Certification Date
A	CW	2012	0.2	1/8/2013	2/8/2013

The wetland determination was completed in the Field      It was Mailed      to the person on      2/8/2013

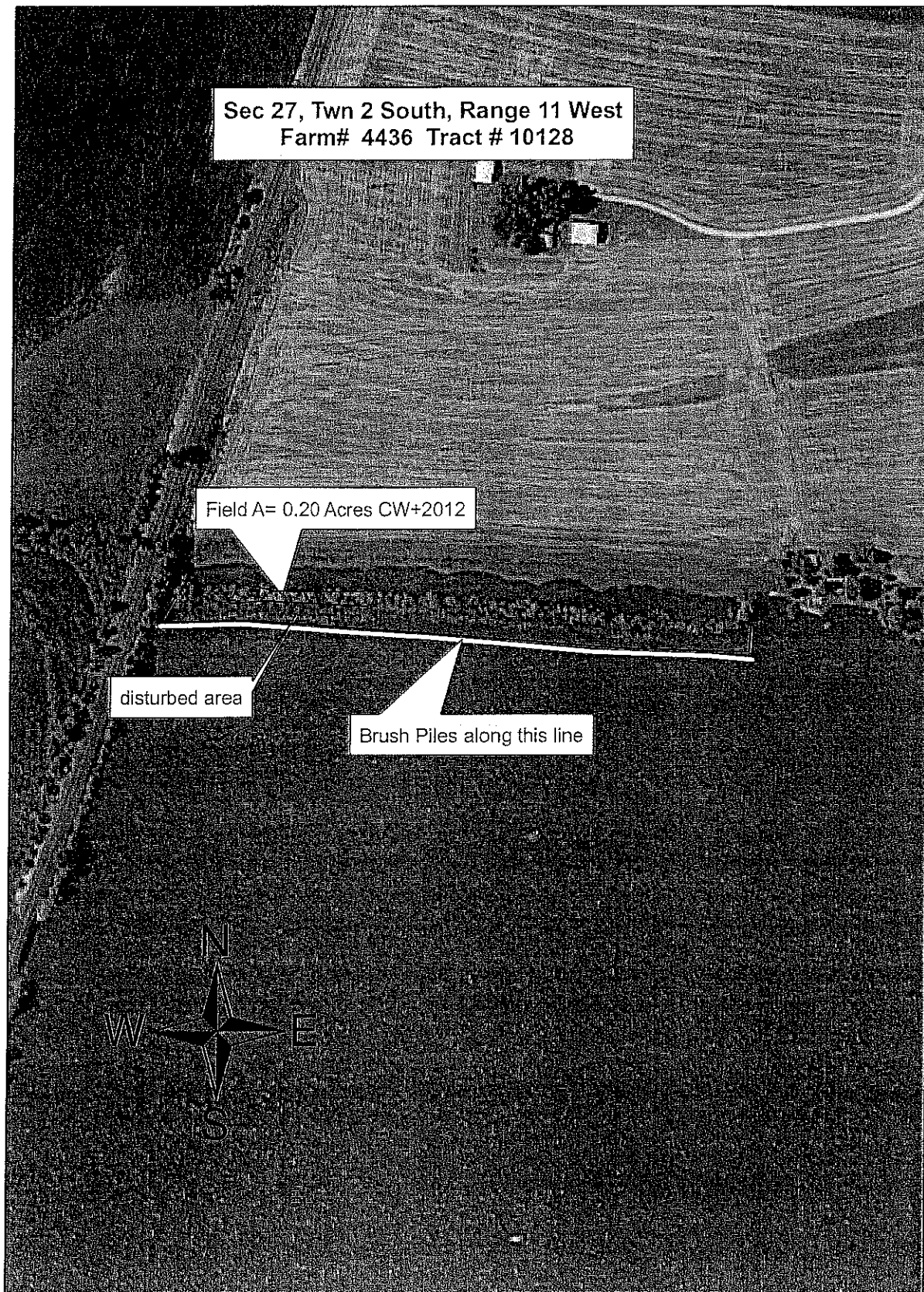
Remarks:

I certify that the above determinations are correct and were conducted in accordance with policies and procedures contained in the National Food Security Act Manual.

Signature Designated Conservationist	Date
Bryan Fitch <small>Digitally signed by Bryan Fitch DN: cn=Bryan Fitch, o=USDA-NRCS, email=bryan.fitch@usda.gov, c=US Date: 2013.02.05 08:02:45 -0600</small>	1/8/13

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# Dillenberger Wetland Compliance 2010 Photo





# HIGHLY ERODIBLE LAND CONSERVATION (HEL) AND WETLAND CONSERVATION (WC) CERTIFICATION

(See Page 3 for Nondiscrimination, Public Burden and Privacy Act Statements.)

1. Name of Producer <b>Dillenger Farms Inc</b>		2. I.D. Number (Last 4 digits only) <b>105055</b>		3. Crop Year <b>2011</b>	
4. Do you have any interest in land that produces or could produce an agricultural commodity? If "YES", or, if you are a Farm Loan Applicant continue with Item 5. If "NO", and you are not a farm loan applicant, go to Item 12 and sign and date.				YES	NO
				X	
5. For farm loan applicants only: Will you conduct any activities for fish production, trees, vineyards, shrubs, building construction, or any other non-agricultural purposes on lands for which a wetland determination has not been completed by NRCS?					X
6. Are you a landlord or tenant on any farm that will not be in compliance with HELC and WC provisions? If "YES", enter the farm number or contact your County FSA Office before completing this form. Farm Number: _____ (Contact your county FSA office if you are unsure of the HEL or wetland determinations applicable to your farming interest.)					X
7. Do any of your landlords refuse to comply with HELC requirements on any farms? If "YES", enter the farm number or contact your County FSA Office before completing this form. Farm Number: _____					X
8. List affiliated persons with farming interests. See Page 3 for an explanation. Enter "NONE", if applicable.					
1) James Dillenger					
2) Jason Siburt					
3) Chad Dillenger					
9. During the crop year entered in item 3 above, or the term of a requested USDA loan, did or will you plant and produce an agricultural commodity on land for which a highly erodible determination has not been made?				YES	NO
					X
10. Since December 23, 1985, or during the current crop year, or during the term of a requested USDA loan, has anyone performed, or will anyone perform any activities to:					
A. Create new drainage systems, or conduct land leveling, filling, dredging, land clearing, excavation, or stump removal, that has NOT been evaluated by NRCS? If "YES", indicate year(s): _____					X
B. Improve, or modify an existing drainage that has NOT been evaluated by NRCS? If "YES", indicate year(s): _____					X
C. Maintain an existing drainage system that has NOT been evaluated by NRCS? If "YES", indicate year(s): _____ Note: Maintenance is the repair, rehabilitation, or replacement of the capacity of existing drainage systems to allow for the continued use of wetlands currently in agricultural production and the continued management of other areas as they were used before December 23, 1985. This allows a person to reconstruct or maintain the capacity of the original system or install a replacement system that is more durable or will realize lower maintenance or costs.					X
11. If "YES" to items 5, 10A and/or 10B or 10C enter the following for the land the answer applies to:					
A. Farm and/or tract/field number: _____					
B. Activity: _____					
C. Current land use (specify crops): _____					
D. County: _____					

A "YES" answer in Items 5, 9, or 10 authorizes FSA to refer this AD-1026 to NRCS. If you check "YES" to Item 10C, NRCS does not have to conduct a certified wetland determination. (Contact your County FSA Office if you are unsure about the answers to Items 5, 9 and 10.)

## Continuous AD-1026 Certification:

I have read the AD-1026 Appendix and understand and agree that my eligibility for certain USDA program benefits is contingent upon this certification of compliance with the highly erodible land and wetland conservation provisions of the Food Security Act of 1985 as amended, and if a determination is made that results in a violation and ineligibility, I agree to refund all applicable payments.

- I agree to the terms and conditions stated on AD-1026 Appendix on all land in which I have or will have an interest and understand that I am responsible for any non-compliance with these provisions.
- I agree that I will file a revised AD-1026 if there are any changes in my operation or activities that may affect compliance with these provisions.
- I understand that affiliated persons are also subject to compliance with these provisions and their failure to comply or file AD-1026 will result in loss of eligibility to persons or enterprises with whom they are affiliated. (See Page 3 of this form for affiliated persons.)

12. Signature of Producer: *I hereby certify that the information on this form is true and correct to the best of my knowledge, and I authorize NRCS to make a HEL and/or certified wetland determination on the tract or farm numbers listed above.*

*Dillenger Farms Inc (Pres)*  
\_\_\_\_\_  
Producer's Signature

*3/14/2011*  
\_\_\_\_\_  
Date (MM-DD-YYYY)

13. Referral to NRCS (Completed by FSA)  
Sign and date if a NRCS determination is needed for any reason including a "YES" answer in Items 5, 9, 10A, 10B, or 10C.

13A. Signature of FSA Representative

13B. Date (MM-DD-YYYY)

☒ ORIGINAL - FSA COPY

☐ NRCS COPY

☐ PRODUCER'S COPY

Received  
MAR 14 2011  
Monroe County FSA  
Waterloo, IL



**Producer Farm Data Report**
**Crop Year: 2012**
**Date:**

3/21/13 3:10 PM

**Page:**

1

Producer Name and Address

Recording County Office Name

 DILLENBERGER FARMS INC  
 6664 A RD  
 VALMEYER IL 62295-1538

Monroe, Illinois

Telephone: (618) 935-2753

		Number of Farms	Number of Tracts	Farmland	Cropland	DCP Cropland	CRP Cropland	Eff DCP Cropland	NAP			
		2	7	1220.0	903.0	903.0	0.0	903.0	0.0			
		Relationship to Farm Tract		Producer	Farmland	Cropland	DCP Cropland	CRP Cropland	Eff DCP Cropland	NAP	HEL Code	Wetland Code
Monroe, IL	3579	9320	Operator	DILLENBERGER FARMS INC	196.1	90.6	90.6	0.0	90.6	0.0	N	DNC
			Owner	ROBERT HEAVNER						0.0		
	10756		Operator	DILLENBERGER FARMS INC	105.2	101.0	101.0	0.0	101.0	0.0	N	DNC
			Owner	ROBERT HEAVNER						0.0		
Monroe, IL	4436	1140	Owner	JAMES F & SUSAN H DILLENBERGER	2.8	2.8	2.8	0.0	2.8	0.0	SA	N
		9366	Owner/Operator	DILLENBERGER FARMS INC	74.7	53.0	53.0	0.0	53.0	0.0	N	WL
			Other Tenant	BLUFFVIEW FARM INC						0.0		
	9840		Owner	JAMES F & SUSAN H DILLENBERGER	93.8	85.8	85.8	0.0	85.8	0.0	SA	DNC
			Owner	MARY ANN DILLENBERGER						0.0		
	10128		Owner	JAMES F & SUSAN H DILLENBERGER	353.0	202.0	202.0	0.0	202.0	0.0	N	WL
			Owner	BLUFFVIEW FARM INC						0.0		
	11041		Owner	JAMES F & SUSAN H DILLENBERGER	394.4	367.8	367.8	0.0	367.8	0.0	N	WL
			Owner	MARY ANN DILLENBERGER						0.0		
			Owner	SUSIE DILLENBERGER						0.0		
			Other Tenant	BLUFFVIEW FARM INC						0.0		

**HEL  
Codes**

 SA = HEL: Sys Applied  
 SNA = HEL: Sys Not Applied

 SNR = HEL: Sys Not Required  
 2YR = HEL: 2-yr Implement

 DNC = Determination Not Complete  
 N = Not HEL

**Wetland  
Codes**

 WL = Wetland  
 N = No Wetland

DNC = Determination Not Complete

Illinois  
Monroe  
Report ID: FSA-156EZ

U.S. Department of Agriculture  
Farm Service Agency  
Abbreviated 156 Farm Record

FARM: 4436  
Prepared: 11/29/12 11:26 AM  
Crop Year: 2013  
Page: 1 of 3

Operator Name: DILLENBERGER FARMS INC  
Farm Identifier: dillenbergers  
Recon Number: 2010 17133 108  
Farms Associated with Operator:  
3579

CRP Contract Number(s): None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP	Farm Status	Number of Tracts
918.7	711.4	711.4	0.0	0.0	0.0	0.0	Active	5
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP			FAV/WR History	
0.0	0.0	711.4	143.4	0.0			N	

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
WHEAT	143.3	49	50	0.0	0.0
CORN	250.4	106	154	0.0	0.0
SOYBEANS	461.1	34	41	0.0	0.0
Total Base Acres:	854.8				

Tract Number: 1140 Description: E7 N5

BIA Range Unit Number:

HEL Status: HEL: conservation system is being actively applied

Wetland Status: Tract does not contain a wetland

WL Violations: None

FAV/WR History  
N

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP
2.8	2.8	2.8	0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP		
0.0	0.0	2.8	0.6	0.0		

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
SOYBEANS	3.4	34	41	0.0	0.0
Total Base Acres:	3.4				

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

Other Producers: None

Illinois  
Monroe  
Report ID: FSA-156EZ

U.S. Department of Agriculture  
Farm Service Agency  
Abbreviated 156 Farm Record

FARM: 4436  
Prepared: 11/29/12 11:26 AM  
Crop Year: 2013  
Page: 2 of 3

Tract Number: 9366 Description: D6 Section 26

FAV/WR  
History  
N

BIA Range Unit Number:

HEL Status: Classified as not HEL

Wetland Status: Tract contains a wetland or farmed wetland

WL Violations: None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP
74.7	53.0	53.0	0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP		
0.0	0.0	53.0	11.8	0.0		

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
WHEAT	11.8	49	50	0.0	0.0
CORN	20.6	106	154	0.0	0.0
SOYBEANS	32.4	34	41	0.0	0.0
Total Base Acres:	64.8				

Owners: DILLENBERGER FARMS INC

Other Producers: BLUFFVIEW FARM INC

Tract Number: 9840 Description: E7

FAV/WR  
History  
N

BIA Range Unit Number:

HEL Status: HEL: conservation system is being actively applied

Wetland Status: Wetland determinations not complete

WL Violations: None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP
93.8	85.8	85.8	0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP		
0.0	0.0	85.8	17.3	0.0		

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
WHEAT	17.8	49	50	0.0	0.0
CORN	31.1	106	154	0.0	0.0
SOYBEANS	54.2	34	41	0.0	0.0
Total Base Acres:	103.1				

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

MARY ANN DILLENBERGER

Other Producers: None

Illinois  
Monroe

Report ID: FSA-156EZ

U.S. Department of Agriculture  
Farm Service Agency  
Abbreviated 156 Farm Record

FARM: 4436  
Prepared: 11/29/12 11:26 AM  
Crop Year: 2013  
Page: 3 of 3

Tract Number: 10128 Description: C6

BIA Range Unit Number:

FAV/WR  
History  
N

HEL Status: Classified as not HEL

Wetland Status: Wetland determinations not complete

WL Violations: None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP
353.0	202.0	202.0	0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP		
0.0	0.0	202.0	40.6	0.0		
Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction	
WHEAT	40.7	49	50	0.0	0.0	
CORN	71.1	106	154	0.0	0.0	
SOYBEANS	130.8	34	41	0.0	0.0	
Total Base Acres:		242.6				

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

Other Producers: BLUFFVIEW FARM INC

Tract Number: 11041 Description: A7

BIA Range Unit Number:

FAV/WR  
History  
N

HEL Status: Classified as not HEL

Wetland Status: Tract contains a wetland or farmed wetland

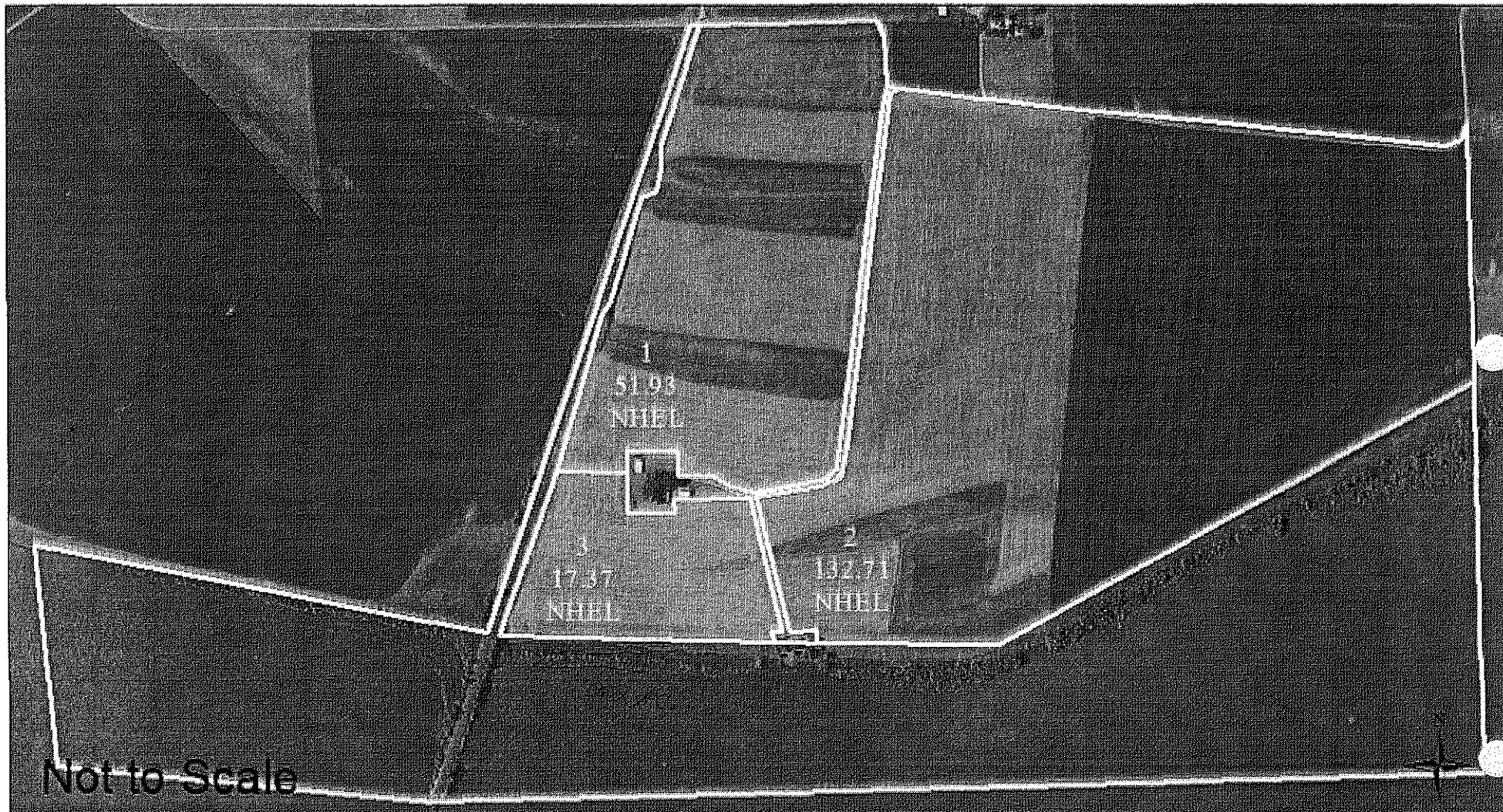
WL Violations: None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP
394.4	367.8	367.8	0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP		
0.0	0.0	367.8	73.1	0.0		
Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction	
WHEAT	73.0	49	50	0.0	0.0	
CORN	127.6	106	154	0.0	0.0	
SOYBEANS	240.3	34	41	0.0	0.0	
Total Base Acres:		440.9				

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST  
SUSIE DILLENBERGER

MARY ANN DILLENBERGER

Other Producers: BLUFFVIEW FARM INC



United States Department of Agriculture  
Farm Service Agency

February 09, 2011

## Monroe County, IL

Farm: 4436  
Tract: 10128

fsa\_gis\_layers.SDE.wet\_p\_il133  
Wetland Determination Identifiers

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

Question # 10 - No

Question # 11 - No

Question # 12 - Yes (see enclosed)

# 12

This form is available electronically.

(See the Last Page for Privacy Act Statement)

<b>CCC-509</b> (10-01-11)  <b>U.S. DEPARTMENT OF AGRICULTURE</b> Commodity Credit Corporation  <b>DIRECT AND COUNTER-CYCLICAL PROGRAM (DCP)</b> <b>CONTRACT AND AVERAGE CROP REVENUE</b> <b>ELECTION (ACRE) CONTRACT</b>	1. Program Year: <b>2012</b>		
	2. State Code <b>17</b>	3. County Code <b>133</b>	4. Farm Number <b>4436</b>
	5A. County FSA Office Name and Address (Including Zip Code) <b>MONROE COUNTY FARM SERVICE AGENCY</b> <b>138 WILLIAMSBURG LANE</b> <b>WATERLOO, IL 62298-0000</b>		
	5B. County Office Telephone/Fax Number(s) (Including Area Code) <b>(618)939-6181 x2</b> <b>FAX (618)939-4647</b>		

THIS CONTRACT TO PARTICIPATE is entered into between the Commodity Credit Corporation (CCC) and the undersigned producers on the farm identified above for the commodities identified in Item 8. This contract must be executed by all producers, with a share greater than zero, by June 1 of the contract period. The terms and conditions of the DCP and ACRE contract are contained in the CCC-509 Appendix (04-24-09), entitled "Appendix to Form CCC-509, Direct and Counter-Cyclical Program (DCP) Contract and Average Crop Revenue Election (ACRE) Program Contract", and the Regulations in 7 CFR Part 1412 and are subject to change. By signing this contract, the undersigned producers on the farm identified in Item 4 are participating in the DCP or ACRE Program subject to CCC approval. By signing this contract, producers: (1) acknowledge receipt of the CCC-509 Appendix; (2) agree to abide by the terms contained therein; (3) agree to comply with the regulations governing the applicable program and payment eligibility and limitation provisions; (4) acknowledge and agree that DCP and ACRE and benefits under DCP and ACRE are subject to changes based upon change to applicable statute; and (5) certify to the accuracy of the information set out on this form.

6. This contract is for the following program (Check one and initial): ☐ DCP ☒ ACRE  
 If ACRE is checked, you must also complete the ACRE Election form (CCC-509ACRE) only if this is the first year for ACRE participation. **Producer's Initials: J.D.**

7. At least 50 percent of the ownership interest of the farm is held by a socially disadvantaged or limited resource farmer or rancher ☐ YES (See CCC-509 Appendix for definitions and rules). **Producer's Initials:**

Items 8 through 16 specify the details for the commodity, base acres, direct and counter-cyclical payment acres, yields and payment share for the farm in Item 4. Item 11B does not apply to ACRE. Items 13 and 14 do not apply to ACRE payments

8. Commodity	9. Base Acres	10. Direct and Counter-Cyclical Payment Acres 85% of Base Acres	11. Payment Yield		8. Commodity	9. Base Acres	10. Direct and Counter-Cyclical Payment Acres 85% of Base Acres	11. Payment Yield	
			A. Direct	B. Counter-Cyclical				A. Direct	B. Counter-Cyclical
CORN	250.4	212.8	106	154	SOYBN	461.1	391.9	34	41
WHEAT	143.3	121.8	49	50					

12A. Owner or Producer's Name and Address (Including Zip Code)	13. Commodity	14. Payment Share	13. Commodity	14. Payment Share
<b>DILLENBERGER FARMS INC</b> <b>6664 A RD</b> <b>VALMEYER, IL 62295-1538</b>	CORN	90.16 %	SOYBN	90.16 %
	WHEAT	90.16 %		
12B. Telephone No. (Include Area Code):				

15A. Refused Payment Information:  
☐ All Direct Payments are Refused ☐ All Counter-Cyclical Payments are Refused  
☒ All ACRE Payments are Refused  
 15B. Producer's Initials  
 15C. Date Initialed (MM-DD-YYYY)

16A. Producer's Signature (By) *[Signature]* 16B. Title/Relationship of the Individual Signing in the Representative Capacity *Pross* 16C. Date (MM-DD-YYYY) *2-28-12*

**FOR FSA USE ONLY**

17A. Signature of CCC Representative *[Signature]* 17B. Date (MM-DD-YYYY) *3-16-12*

18. Remarks

19. Employee's Initials

**Received**  
**FEB 24 2012**  
 Monroe County FSA  
 Waterloo, IL

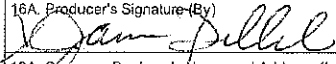
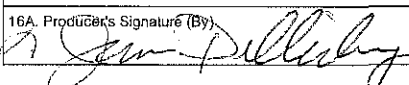
# 12



1. PROGRAM YEAR <b>2012</b>	2. STATE CODE <b>17</b>	3. COUNTY CODE <b>133</b>	4. FARM NUMBER <b>4436</b>
CONTINUATION OF OWNER'S OR PRODUCER'S CROP INFORMATION (From Page 1)			
12A. Owner or Producer's Name and Address (Including Zip Code)  <b>BLUFFVIEW FARM INC 8490 FOREST BLVD CASEYVILLE, IL 62232-1210</b>	13. Commodity	14. Payment Share	13. Commodity
	<b>CORN</b>	<b>9.84 %</b>	<b>SOYBN</b>
	<b>WHEAT</b>	<b>9.84 %</b>	
12B. Telephone No. (Include Area Code):			
15A. Refused Payment Information: <input type="checkbox"/> All Direct Payments are Refused <input type="checkbox"/> All ACRE Payments are Refused		15B. Producer's Initials  15C. Date Initialed (MM-DD-YYYY) <b>03/05/2012</b>	
16A. Producer's Signature (By) <i>X Barry Munk</i>		16B. Title/Relationship of the Individual Signing in the Representative Capacity <i>President</i>	
12A. Owner or Producer's Name and Address (Including Zip Code)  <b>JAMES F &amp; SUSAN H DILLENBERGER REVOCABLE TRUST 6664 A RD VALMEYER, IL 62295-1538</b>	13. Commodity	14. Payment Share	13. Commodity
	<b>CORN</b>	<b>0 %</b>	<b>SOYBN</b>
	<b>WHEAT</b>	<b>0 %</b>	
12B. Telephone No. (Include Area Code):			
15A. Refused Payment Information: <input type="checkbox"/> All Direct Payments are Refused <input type="checkbox"/> All ACRE Payments are Refused		15B. Producer's Initials  15C. Date Initialed (MM-DD-YYYY)	
16A. Producer's Signature (By) <i>X James Dillinger</i>		16B. Title/Relationship of the Individual Signing in the Representative Capacity <i>trustee</i>	
		16C. Date (MM-DD-YYYY) <b>2/24/12</b>	

Received  
MAR - 5 2012  
Monroe County FSA  
Waterloo, IL

Received  
FEB 24 2012  
Monroe County FSA  
Waterloo, IL

1. PROGRAM YEAR <b>2012</b>	2. STATE CODE <b>17</b>	3. COUNTY CODE <b>133</b>	4. FARM NUMBER <b>4436</b>
CONTINUATION OF OWNER'S OR PRODUCER'S CROP INFORMATION (From Page 1)			
12A. Owner or Producer's Name and Address (Including Zip Code)  <b>MARY ANN DILLENBERGER 3079 STATE ROUTE 156 WATERLOO, IL 62298-6303</b>	13. Commodity	14. Payment Share	13. Commodity
	<b>CORN</b>	<b>0 %</b>	<b>SOYBN</b>
	<b>WHEAT</b>	<b>0 %</b>	<b>0 %</b>
12B. Telephone No. (Include Area Code):			
15A. Refused Payment Information:  <input type="checkbox"/> All Direct Payments are Refused <input type="checkbox"/> All Counter-Cyclical Payments are Refused <input type="checkbox"/> All ACRE Payments are Refused			15B. Producer's Initials  15C. Date Initialed (MM-DD-YYYY)
16A. Producer's Signature (By) 		16B. Title/Relationship of the Individual Signing in the Representative Capacity <b>POA</b>	
16C. Date (MM-DD-YYYY) <b>2/24/12</b>			
12A. Owner or Producer's Name and Address (Including Zip Code)  <b>SUSIE DILLENBERGER 6664 A RD VALMEYER, IL 62295-1538</b>	13. Commodity	14. Payment Share	13. Commodity
	<b>CORN</b>	<b>0 %</b>	<b>SOYBN</b>
	<b>WHEAT</b>	<b>0 %</b>	<b>0 %</b>
12B. Telephone No. (Include Area Code):			
15A. Refused Payment Information:  <input type="checkbox"/> All Direct Payments are Refused <input type="checkbox"/> All Counter-Cyclical Payments are Refused <input type="checkbox"/> All ACRE Payments are Refused			15B. Producer's Initials  15C. Date Initialed (MM-DD-YYYY)
16A. Producer's Signature (By) 		16B. Title/Relationship of the Individual Signing in the Representative Capacity <b>Spouse</b>	
16C. Date (MM-DD-YYYY) <b>2/24/12</b>			

NOTE:	<p>The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 1412, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used to by CCC to assist in determining DCP or ACRE program eligibility, to determine the correct producers on the DCP or ACRE contract, and to consider and approve the contract to enter into the DCP or ACRE program. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for entry into the DCP or ACRE program.</p> <p>This information collection is exempted from the Paperwork Reduction Act, as it is required for administration of the Food, Conservation, and the Energy Act of 2008 (See Pub. L. 110-246, Title I, Subtitle F - Administration).</p> <p>The provisions of criminal and civil fraud, privacy and other statutes may be applicable to the information provided. <b>RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</b></p>
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The U.S. Department of Agriculture (USDA) prohibits discrimination in all its program and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of Discrimination, write to USDA, Director, Office of Adjudication and Compliance, 1400 Independence Avenue, SW., Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 845-6136 (Spanish) or (800) 877-8339 (TDD) or (866) 377-8642 (Federal-relay). USDA is an equal opportunity provider and employer.

**Received**  
**FEB 24 2012**  
 Monroe County FSA  
 Waterloo, IL

State: Illinois  
County: Monroe  
County Office: Monroe County Farm Service Agency

U.S. Department of Agriculture  
Farm Service Agency  
2012-ACRE CCC-509B Worksheet

Crop	Base Acres	Payment Acres	Direct Yield	CC Yield	Payment Rate	Producer Name	Type	Share %	Direct Annual Payment
<b>Farm 4436</b>									
Corn	250.4	212.8	106	154	0.224	BLUFFVIEW FARM INC	OW	9.84%	\$497
	250.4	212.8	106	154	0.224	DILLENBERGER FARMS INC	OO	90.16%	\$4,556
Soybeans	461.1	391.9	34	41	0.352	BLUFFVIEW FARM INC	OW	9.84%	\$462
	461.1	391.9	34	41	0.352	DILLENBERGER FARMS INC	OO	90.16%	\$4,229
Wheat	143.3	121.8	49	50	0.416	BLUFFVIEW FARM INC	OW	9.84%	\$244
	143.3	121.8	49	50	0.416	DILLENBERGER FARMS INC	OO	90.16%	\$2,238
Total:									\$12,226

2/24/12 8:20 AM

Page 1 of 1

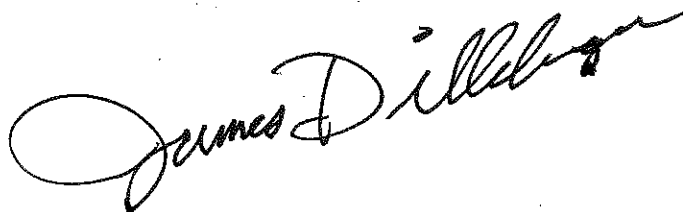
Disclaimer:

The direct payment amounts reflected on this statement are based on 2012-ACRE payment rates.  
The amounts may vary due to changes in payment acres, payment yields, producer eligibility, or producer shares.  
The distribution of the form does not in any way obligate CCC to disburse the payment amounts reflected.

**Note:** Payment amounts will be calculated by multiplying payment acres, payment yields, share, permitted/AGI share, cropland factor and the payment rate. The payment amounts reflected on this statement do not take into account the permitted/AGI share or cropland factors. Background information can be obtained from any FSA county office.

14. You or a responsible agent must submit all requested information under an authorized signature with the following certification:

I certify under the penalty of law that I have examined and am familiar with the information submitted in responding to this information request for production of documents. Based on my review of all relevant documents and inquiring of those individuals immediately responsible for providing all relevant information and documents, I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A handwritten signature in black ink, reading "James D. Dillman". The signature is written in a cursive style with a large, looping initial "J".